THE HISTORY OF THE RISE, PROGRESS, AND ESTABLISHMENT, OF THE INDEPENDENCE OF THE UNITED STATES OF AMERICA:

INCLUDING

AN ACCOUNT OF THE LATE WAR;

AND OF THE

THIRTEEN COLONIES,

FROM THEIR ORIGIN TO THAT PERIOD.

By WILLIAM GORDON, D.D.

QUID VERUM **** CURO, ET ROGO, ET OMNIS IN HOC SUM.

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PREFACE

MVSEVM
BRITAN
NICVM

PREFACE.

HISTORY has been ſtiled, "The evidence of time—The light of truth—The ſchool of virtue—The depoſitory of events." It is calculated for the purpoſes of ſhowing the principles on which ſtates and empires have riſen to power, and the errors by which they have fallen into decay, or been totally diſſolved: and of pointing out the fatal effects of inteſtine diviſions and civil wars, whether ariſing from the ambition, weakneſs, or inattention of princes; or from the mercenary diſpoſition, pride, and falſe policy of miniſters and ſtateſmen; or from miſtaken ideas, and the abuſe, of government and liberty. It ſhould oblige all, who have performed any diſtinguiſhed part on the theatre of the world, to appear before us in their proper character; and to render an account of their actions at the tribunal of poſterity, as models which ought to be followed, or as examples to be cenſured and avoided.

The inſtructions that events afford, are the ſoul of hiſtory; which doubtleſs ought to be a true relation of real facts during the period it reſpects. An eſſential requiſite in an hiſtorian is the knowledge of the truth; and as in

order to perfection he ought to be ſuperior to every temptation to diſguiſe it, ſome have ſaid, that "he ſhould have neither country, nor particular religion." The compiler of the preſent hiſtory can aſſure the public, that he has paid a ſacred regard to truth, conſcious of his being anſwerable to a more awful tribunal than that of the public; and has labored to diveſt himſelf of all undue attachment to every perſon, country, religious name or profeſſion: whenever the reader is inclined to pronounce him partial, let him recollect, that he alſo is ſubject to the like human frailty. A regard to truth has often reſtrained him from the uſe of ſtrong and florid expreſſions, that he might not impoſe upon the reader a pleaſing deluſion, and lead him into falſe conceptions of the events undertaken to be related.

The following work is not confined to the conteſt between Great Britain and the United States of America, but includes all the other parts of the war which originated from that conteſt.

In the beginning of the firſt letter, the reader is acquainted with the reaſons that produced an hiſtorical account of the firſt ſettlers in the Thirteen Colonies, and of their ſucceſſors, down to the cloſe of 1771. The inſertion of what followed to the commencement of hoſtilities, was neceſſary for the connecting of the two periods.

The

The form of letters, inſtead of chapters, is not altogether imaginary, as the author, from his arrival in America in 1770, maintained a correſpondence with gentlemen in London, Rotterdam and Paris, anſwering in general to the prefixed dates.

He apprehended, that by keeping to ſuch form, and making the narrative agree with the moment to which it related, and by introducing the various inſertions neceſſary for the authenticating of facts, a preſent ideal exiſtence of paſt events might be produced in the mind, ſimilar to what is felt when a well-executed hiſtorical painting is examined. The better to ſecure this point, ſeveral parts are written in the preſent tenſe. If the author has failed in the execution, it is hoped that the candid reader will admit of the good intention as an apology.

He has kept, as far as he could, to a chronological order. This has neceſſarily interrupted the narrative of particular parts; which, though a diſappointment to ſome, may prevent the tedioufneſs that might otherwiſe have been felt by perſons of a different taſte. It may at leaſt ſerve to prevent or correct the too frequent miſtakes of aſcribing prior events, partly or wholly to ſubſequent facts. The author regrets his not having placed the year at the top of the page, together with the month and day at

the

the ſide, earlier than now appears; and alſo his not having given every European letter the immediate reſemblance of being written to him by a correſpondent. He flatters himſelf, that he has in ſome meaſure compenſated for theſe and other defects, by the general contents of every letter in each volume prefixed to the ſame; by a copious index to the whole at the end of the laſt; and by a collection of maps and plans, about which neither care, nor expence, has been ſpared to render them valuable.

Struck with the importance of the ſcenes that were opening upon the world, in the beginning of 1776, he formed an early deſign of compiling their hiſtory, which he made known to the late commander in chief of the American army; and meeting with the deſired encouragement from him, he applied himſelf to the procuring of the beſt materials, whether oral, written, or printed. Oral communications were minuted down while freſh in the memory; the written were directed immediately to himſelf in many inſtances, in others only imparted: the productions of the European preſs could not be received with any regularity or certainty during the war, but were improved as they could be obtained.

The United States, in congreſs aſſembled, favored him with an inſpection of ſuch of their records as could with propriety be ſubmitted to the

perusal of a private person; and he was indulged by the late generals Washington, Gates, Greene, Lincoln, and Otho Williams, with a liberal examination of their papers, both of a public and more private nature.

He had the opportunity of acquainting himself with the records of the first settlers in New England; and examined those of the Massachusett's-bay, from their formation as a company to the close of the war, contained in near thirty folio manuscript volumes.

Doctor Ramsay's history of the war in Carolina, was communicated to him while in manuscript; and liberty was granted to make full use of it: the present opportunity is embraced for acknowledging the benefit received from it, and for returning grateful thanks to the Doctor. The Americans remarked, that Dodsley's Annual Register contained the best foreign printed summary account of their affairs: but it was not possible for writers on this side the Atlantic to avoid mistakes. That Register and other publications have been of service to the compiler of the present work, who has frequently quoted from them, without varying the language, except for method and conciseness. He gathered from every source of intelligence in his power, while at the place of his residence near Boston; and since his return to his native country in

1786,

1786, has improved the advantage arising from it.

The accounts here given of American affairs, are so different in several respects from what have been the conceptions of many on each side the Atlantic, that it was necessary to insert a variety of letters, papers and anecdotes, to authenticate the narrative. The publication of these, it is presumed, will obtain credit for such parts as could not with propriety be supported by the introduction of similar proofs.

To write a history worthy the approbation of his friends, and (as far as his powers extended) of the present age, and of posterity; and to convince mankind, that TRUTH *was his care, his search, and what his soul was engaged in*, have been the great objects of

London, Oct. 28, 1788.

THE AUTHOR.

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ERRATA beſide thoſe at the End of the Volume.

Page 4, line 20, *read* Brown, a fiery zealot—l. 22, *dele* a fiery zealot. P. 12. l. 21, *read* tyrant, Philip II. of Spain. P. 20, l. 7, *read* elected by the planters. P. 23, l. 18, *read* declared ſo late as. P. 27, l. 5, *read* ceaſed in 1640. P. 32, l. 20, *read* the juriſdiction. P. 35, l. 21, *read* the three laſt colonies, Maſſachuſetts, Connecticut, and New Haven. P. 39, l. 10, *read* colonies of the Maſſachuſetts and New Hampſhire. P. 44, l. 3, *read* mentioned hereafter. P. 77, laſt line, *read* James II. P. 118, l. 11 *read* the London diſſenting deputation. P. 166, l. 10, *read* the Miniſters of Charles II. down to thoſe of the. P. 290, l. 13, *dele* generality of the. P. 308, l. 19, *read* not ſolely to any. P. 427, l. 3, *for* other *read* diſtrict.

THE RISE, PROGRESS, AND CONCLUSION OF THE NORTH AMERICAN REVOLUTION.

LETTER I.

Roxbury, December 26, 1771.

MY GOOD SIR,

TO your properly understanding the nature and origin of the uneasiness, that has so strongly agitated the colonies of late years, and still exists though now somewhat abated; and which has been occasioned by parliamentary taxation and the modern measures of government; you must be acquainted with the sentiments and history of the first settlers, no less than of their descendants and successors.

Several of the most zealous and eminent protestants, in the reign of *Edward* the VIth, opposed the popish ceremonies and habits, though otherwise united to their brethren in religious tenets. The opposition became more general and determined, after hundreds of them fled to, and resided in foreign parts, in order to escape the *Marian* persecutions. There the sentiments of numbers, through their intercourse with protestants of

other nations, were much changed and improved; and they were more than ever desirous of proceeding further in the reformation, than was directed by the service-book of king *Edward*.

1558. Upon the accession of *Elizabeth*, the refugees returned to *England*, loaded with experience and learning, but in the utmost distress and poverty. Those of the clergy, who could comply with the queen's establishment, were quickly preferred. The rest, after being admitted to preach awhile, were suspended, and reduced to former indigence. Several were offered bishoprics, but declined the tender, on account of the garments, ceremonies, &c. while the necessity of the times, and the flattering hope of obtaining hereafter an amendment in the constitution of the church, induced others to accept preferments, though with trembling.

The queen affected much pomp in religion; was fond of the old popish ceremonies, in which she had been educated; and thought her brother king *Edward* had gone too far in demolishing ornaments.

The clergy and laity, who sought after greater ecclesiastic purity, in vain struggled hard for the abolishment of popish ceremonies and habits; or, at least, leaving the use of them, in divine service, indifferent. They obtained nothing but the honorable nick-name of PURITANS. The queen proved an inflexible bigot, and would be obeyed, or punish. The parliament, in their first session, had very injudiciously passed the two acts of Supremacy and Uniformity, without guarding them properly; and, by a clause in the latter, delivered up to the crown all ecclesiastic jurisdiction. Men of solid

ſolid learning and piety, of ſober lives, popular preachers, profeſſed enemies to popery and ſuperſtition, and of the ſame faith, in point of doctrine, with the conformiſts, were ſuſpended, deprived, impriſoned and ruined, for not complying with the uſe of thoſe garments and ceremonies, which their opponents acknowledged to be indifferent in themſelves; while the ſufferers adjudged ſuch compliance ſinful, from their having been abuſed to idolatry, and ſerving as marks and badges of that religion they had renounced.

All the puritans of theſe times were deſirous of remaining in the church, might they be indulged as to the habits and a few ceremonies, though they were far from being ſatisfied with the hierarchy, and had other objections beſide thoſe for which they had been deprived. Inſtead of indulgence, their grievances were multiplied; and the penal laws were rigorouſly executed. However, the body of the conforming clergy being extremely illiterate and ignorant, the deprived miniſters were employed as curates or lecturers; and received, for their ſervices, a ſmall conſideration from the incumbent, together with the voluntary contribution of the pariſh. By their warm and affectionate preaching and eminent faithfulneſs, they gained the hearts of the common people, who were the more attached to them, the more cruelty was exerciſed upon them; and who had the utmoſt averſion to the popiſh garments, as their hatred to popery increaſed. The preachers appealed to the ſcriptures. Their hearers ſearched them carefully; obtained more and clearer diſcoveries of the popiſh ſuperſtitions; grew in their abhorrence of them; venerated the divine inſtitutions; and longed to have the worſhip

of the church rendered more pure and primitive. The popularity of the deprived miniſters drew numbers from neighbouring pariſhes. *Puritaniſm* ſpread and gained ground by being perſecuted. Its growth was the greateſt grief to the queen and archbiſhop Whitgift. But neither the ſupreme head of the church, nor the primate of all *England*, had policy or chriſtianity enough to apply the proper remedy, in granting *liberty of conſcience*. Inſtead of that, new acts were paſſed, and greater ſeverities practiſed. Such inhuman proceedings, againſt proteſtants of good moral characters, did not paſs unnoticed. They were the ſubjects of converſation. The right of acting thus toward fellow-creatures, and its non-agreement with the mild and benevolent principles of Chriſtianity, were freely canvaſſed. The ſupreme head and chief dignitaries of the *Engliſh* church being ſuch intolerable perſecutors, it became a queſtion, "Is ſhe any longer a *true church* of Chriſt, and are her miniſters *true* miniſters?"

At length one *Robert Brown*, deſcended from an ancient and honorable family, and nearly related to Lord Treaſurer *Cecil*, a fiery zealot, travelled through the country,
1586. a ſecond time, holding forth, wherever he went, againſt *biſhops*, *eccleſiaſtic courts*, *ordaining of miniſters*, &c. and gathered a *ſeparate* congregation. The parties held, that the *church of* ENGLAND was not a *true* church; that her miniſters were not *rightly* ordained; that her diſcipline was *popiſh* and *anti-chriſtian*; and that all her ordinances and ſacraments were *invalid*. Therefore they would not join with her members, in *any part* of public worſhip. They not only renounced communion with the *church*

of

of ENGLAND, but with *all* other reformed churches, except they were of their own model.

Theſe *ſeparatiſts* were called *Browniſts*, which was long afterward the common name for all that ſeparated *totally* from the church of *England*, even when they diſowned the rigid principles of *Brown* and his congregation. We muſt carefully diſtinguiſh the *Browniſts* from the *Puritans*. Moſt of the latter were for keeping within the pale of the church, apprehending it to be a *true* church in its *doctrines* and *ſacraments*, though defective in *diſcipline* and corrupt in *ceremonies*. They thought it *unlawful* to ſeparate; ſubmitted to ſuſpenſions and deprivations; when driven out of one dioceſe, took ſanctuary in another, being afraid of incurring the guilt of *ſchiſm*; and were the chief writers againſt the *Browniſts*.

A freſh effort was made to cruſh the *non-conformiſts*. 1593.
A moſt obnoxious act was paſſed, for puniſhing all who refuſed to come to church, and every one, who perſuaded others to oppoſe the queen's authority in eccleſiaſtic cauſes, or was preſent at any conventicle or meeting. The puniſhment was impriſonment without bail, till the convicted agreed to conform and make a declaration of his conformity. In caſe the offender did not ſign the declaration within three months, he was *to abjure the realm, and go into perpetual baniſhment*. If he departed not within the time limited, or returned afterward without the queen's licenſe, he was *to ſuffer death without benefit of clergy*. By this act, the caſe of nonconformiſts was worſe than that of felons at common law. The ſtatute was levelled againſt the laity, no leſs than the clergy. The moderate puritans evaded it, by going to church when prayers were nearly ended,

and by receiving the ſacrament when adminiſtered with ſome latitude. The weight of it fell upon the *Browniſts*, whoſe ſentiments had gained ground, ſo that they were increaſed to near twenty thouſand, beſide wives and children, according to the opinion of *Sir Walter Raleigh*, given in the houſe of commons, when the bill was read the ſecond time and debated *.

Several were *put to death*, about this period; which excited an odium againſt the biſhops and high commiſſioners, who were univerſally known to have been at the bottom of the proceedings againſt them. It was reſolved therefore, to ſend the remainder of the impriſoned into baniſhment, inſtead of continuing to execute them. Others preferred a voluntary exile, rather than be expoſed to the mercileſs perſecutions that awaited them in their native country. Is it ſtrange, that theſe perſons, thus forced or frightened out of it, for claiming and exerciſing the common right of human nature, that of judging for themſelves in matters of religion, ſhould at length think, that their allegiance terminated with their departure; or, that thoſe who commiſerated them inclined to the ſame ſentiment?

The parliament, eſpecially the lower houſe, perceiving how the queen, and many of the biſhops and eccleſiaſtics, abuſed their ſpiritual power; what miſchiefs they brought upon the church; and the miſeries to which honeſt men were reduced for mere difference in religious ſentiments; attempted repeatedly to regulate matters, and to redreſs the hardſhips of the non-conformiſts, but was ſtopt by her majeſty, in the moſt dictatorial manner. Some of the members, rouſed by ſuch unwarrantable

* Townſhend's Hiſtorical Collections, p. 76.

acts

acts of ſovereignty, ſpake boldly and freely upon the occaſion, and cenſured the arbitrary proceedings of the biſhops. The queen added to her other faults, that of ſending them to the Tower. But, though ſhe could awe the parliament, impriſon its members, and protect her favorite biſhops; ſhe could not overpower the conſciences of the non-conformiſts.

A number of religious people, upon the borders of *Nottinghamſhire*, *Lincolnſhire* and *Yorkſhire*, having ſuffered perſecution patiently for years, and ſearched the ſcriptures diligently, were at length fully of opinion, that the *ceremonies* of the *Engliſh* church were *unlawful*; that the lordly power of her prelates was contrary to the *freedom* of the goſpel; and that her offices, courts and canons had no warrant in the word of God; but were *popiſh*. They determined therefore to ſhake off that yoke of bondage, viz. human impoſitions, brought into the church by popiſh policy and power, againſt the ſuperior law of Chriſt, the genius of his plain religion, and chriſtian liberty. They reſolved, as the Lord's free 1602.
people, "*to join themſelves by covenant into a church ſtate; and, agreeable to preſent or future knowledge, to walk in all the ways of God, according to their beſt abilities, whatever it coſts them* *."

The aſſembly, owing to the diſtance of habitations, 1606.
was obliged to form itſelf into two diſtinct religious ſocieties; the one, with which is our concern, ſoon had for its paſtor the famous Mr. *John Robinſon*. The church kept together about a year; but being extremely haraſſed by perſecutors, concluded upon removing to *Holland*. The pious refugees repaired to and ſettled at Amſterdam;

* Prince's New England Chronology, Part I. p. 4.

but after a while removed to *Leyden*; where they were highly reſpected, and would have been allowed ſome public favor, had it not been for fear of offending England. By hard and continued labor they obtained a living. The *Dutch* employed them before others, for their honeſt and exemplary behaviour; and readily truſted them when in want of money. Matters, however, were not altogether to their mind; and ſome of the moſt
1617. ſenſible began to think of another removal. It was imagined, that, if a better and eaſier place of living could be had, numbers would join them. The morals of the Dutch were too diſſolute; and they were afraid, that their offſpring would become irreligious. Beſide, they had an ardent, noble, and godly deſire, of laying a foundation for ſpreading the religion of *Jeſus* over the remote regions of the earth; and of handing down to future ages, what they thought to be, the pure and unadulterated worſhip of the great JEHOVAH. They therefore directed their views to *America*. To thoſe who objected—the length and danger of the voyage, the difficulties and calamities to which they ſhould be expoſed, the barbarities and treacheries of the *Indians*, and their inability to ſupport the expenſe—it was anſwered, "The difficulties are not invincible, and may be overcome by fortitude and patience; the ends propoſed are good and honorable; the calling lawful and urgent; the bleſſing of God may therefore be expected. We live but as exiles now, and are in a poor condition. The truce with the *Spaniards* is haſtening to a cloſe. Nothing but preparations for war are going forward. The *Spaniards* may be as cruel as the *Savages*; and famine and peſtilence may be as ſore in *Holland* as in *America*."

After

After ſerious and ſolemn application to God for direction, they concluded on carrying the propoſal of croſſing the *Atlantic* into execution; endeavouring to live in a diſtinct body by themſelves, under the general government of the *Virginia* Company; and ſuing to his majeſty, king *James*, for *full liberty and freedom of conſcience.*

The Virginia Company were ready to give them a patent, with as ample privileges as they could grant; but, notwithſtanding the great intereſt made by gentlemen of the firſt character, and by the chief ſecretary of ſtate, the king and biſhops refuſed to allow the refugees (though at the diſtance of 3000 miles) liberty of conſcience under the royal ſeal. All they could obtain from his majeſty, was a promiſe that he would connive at, and not moleſt them, provided they carried themſelves peaceably; but he would not tolerate them by his public authority. Upon this occaſion it was wiſely obſerved, "If his majeſty's promiſe is no ſecurity, a further confirmation will be of little value; though it has a ſeal as broad as the houſe-floor, it will not ſerve the turn, for there will be means enow found, when wanted, to recall or reverſe it; and we muſt reſt herein on God's Providence." This reaſoning, and the hope of being placed beyond the reach of eccleſiaſtic courts, prevailed. They reſolved to venture; and, after long attendance, much coſt and labor, obtained a patent. 1619.

They agreed, that the minor part of younger and ſtronger men, with Mr. *Brewſter*, an elder of the church, ſhould go firſt, and that the paſtor, Mr. *Robinſon*, ſhould remain behind with the majority, for a future favorable opportunity.

opportunity. Their enemies whiſpered, that the States of *Holland* were weary of their company; but the reverſe was evident from the following occurrence, viz. the magiſtrates of the city, when reproving the *Wallоons* in open court, ſaid, "*Theſe* Engliſh *have lived now ten years among us, and yet we never had any accuſation againſt any of them, whereas your quarrels are continual.*"

1620. July 22. The colony, deſtined for America, ſailed from *Delft-Haven* for *Southampton*; and there met a ſhip, having ſome Engliſh friends on board, who propoſed removing with them. Both veſſels proceeded to ſea; but returned twice into port, on account of defects in the one from Delft, which was diſmiſſed. Part of the company returned to *London*, the remainder betook themſelves to the ſhip, and ſailed from *Plymouth* the 6th of September. After many delays, difficulties and dangers, they made *Cape Cod* at break of day on the 9th of November, and entered the harbour on the 10th. They offered up their devout and ardent acknowledgments to God for his protection, and had thoughts of landing; but remarking, that they were out of the limits of their patent, and in a ſort reduced to a ſtate of nature; and hearing ſome, who came from London, hint, *there is now no authority over us*; they, while on board, formed themſelves into a Civil Body Politic under the crown of *England*, for the purpoſe of framing "juſt and equal laws, ordinances, acts, conſtitutions and offices," to which they promiſed "all due ſubmiſſion and obedience." This *contract* was ſubſcribed by forty-one perſons, on Saturday the 11th of November. The whole company of ſettlers, men, women, children and ſervants, amounted to no more than one hundred and one,

Nov. 11.

the

the exact number that left England—for one had died, but another was born, upon the paſſage.

Enfeebled and ſickly, we now behold them at the diſtance of 3000 miles, not only from their native country, but the hoſpitable land where they lately reſided for years, when unfeeling perſecution drove them into a voluntary baniſhment. They have a long and dreary winter before them, and are upon the ſtrange coaſt of an uncultivated wilderneſs, without a relation or friend to welcome their arrival, or an houſe to ſhelter them; without even a kind inhabitant to comfort them by tender acts of humanity, much leſs a civilized town or city, from which ſuccour may be obtained on an emergency. Thus circumſtanced, they are employed in making diſcoveries, till the 20th of December, when they conclude upon a place for immediate ſettlement, which they afterward name *New-Plymouth*, in grateful remembrance of the laſt town they left in their native country.

The winter proved remarkably mild * for the American climate, though exceſſively ſevere to an Engliſh conſtitution; and, what with diſorders brought upon them through uncommon labors and fatigues, and their being expoſed to the rigours of the ſeaſon; and what with the ſcurvy and other diſeaſes occaſioned by a tedious voyage, and the want of proper accommodations while making it, they buried by the end of March 1621, forty-four of their little ſociety, of whom one and 1621.
twenty were ſubſcribers to the *contract*. The number of their dead increaſed to fifty by the beginning of November, when, to their great joy, a veſſel arrived

* *Wood*'s New England's Proſpect. Ed. 1764. p. 5.

with

with thirty five ſettlers from London. It was years before their plantation amounted to three hundred people: when nearly ſo, the Council eſtabliſhed at *Plymouth*, in the county of *Devon*, for the planting, ruling, ordering and governing of *New England* in *America*, granted them a *Patent*, by which their lands were ſecured againſt all Engliſh claims.—Be it noted, that they early agreed with, and ſatisfied the *Indian* proprietors.

1630. Jan. 13.

It would have been aſtoniſhing, had not theſe planters brought with them opinions favorable to liberty. The arbitrary proceedings of *Elizabeth* and *James* produced a ſpirit of inquiry; and induced the ſufferers and others to canvaſs the equity of thoſe powers, which were ſo improperly exerciſed. When the film of prejudice was removed, it was eaſy to diſcern that tyranny, whether in church or ſtate, could not be vindicated by reaſon or revelation; and that Heaven's permitting it, was no more a countenance to that, than any other wickedneſs. Beſide, the *Plymouthians* had lived for years among a people, who had been engaged in a bloody war, with a cruel unrelenting tyrant, whoſe ſovereignty they had renounced. The frequent converſation that muſt have paſſed between the Dutch and Engliſh refugees, muſt have improved the attachment of the laſt to the cauſe of freedom. It might alſo have been hinted to them, that it began to be the ſentiment of ſome Engliſh nobles and principal commoners, that in caſe of a removal to America, perſons, without any charter from the crown, were at liberty to eſtabliſh what form of government they pleaſed; and to ſet up a new ſtate, as fully to all intents and purpoſes, as though they were making their firſt entrance into civil ſociety.

No

No wonder then, eſpecially conſidering the general equality prevailing among them, that the *Plymouthians*, by their contract before landing, formed themſelves into a *proper Democracy*; and that it was entered in the *Plymouth* records of 1636, "*Finding, that as free born* 1636. *ſubjects of the ſtate of* ENGLAND, *we hither came with* Nov. *all and ſingular the privileges belonging to ſuch; in the firſt* 15. *place we think good, that it be eſtabliſhed for an act, that, according to the* [*rights* ſuppoſed to be wanting] *and due privileges of the ſubjects aforeſaid, no impoſition, law or ordinance be made or impoſed upon them at preſent or to come; but ſuch as ſhall be made and impoſed by conſent, according to the free liberties of free born ſubjects of the ſtate and kingdom of* ENGLAND, *and no otherwiſe.*" They meant to continue their allegiance to the crown; to retain their connection with the mother country; to adopt the general laws of England for the rule of government, wherein they ſuited; and to be governed by their own particular acts in other inſtances.

Perſons, devoted to church authority and particular national eſtabliſhments, may exclaim againſt the *Plymouthians* for their religious ſentiments: but a fair and brief ſtatement of them, it is apprehended, will be thought the beſt defence that can be offered, by thoſe who candidly examine the *New Teſtament*, and are properly impreſſed with the words of our Saviour—*My kingdom is not of this world.*

When Mr. *Robinſon* and his aſſociates ſeparated from the church of England, they were rigid *Browniſts*. After his removal to Holland, and there converſing with learned divines, he, being a gentleman of a liberal mind and good diſpoſition, became moderate, as did his

his people; ſo that they who continued rigid *Browniſts* would hardly hold communion with them. Mr. *Robinſon* and his ſociety did not require of thoſe who joined them, a renunciation of the church of England. They alſo acknowledged the other reformed churches for true and genuine; allowed their own members occaſional communion with them, in the word preached, and in the prayers conceived by the preacher before and after ſermon, but not in the ſacraments and diſcipline; and admitted their members, known to them to be pious, to occaſional communion with themſelves in the ſacraments. Still it is to be remarked, that they were not admitted, becauſe of their being members of ſuch churches, but on account of their known piety: their belonging to and continuing in ſuch churches, was not an argument for rejecting them; nor was it the argument for their reception. Mr. *Robinſon*, however, by his converſation and writings, proved a principal in ruining *Browniſm*; and, in the opinion of ſome was the father, of others the reſtorer, of the *independent* or *congregational* churches. Congregational is the term uſed in *New England*, the other is diſcarded, as ſeeming to imply too great a ſeparation from ſiſter churches.

The *Plymouthians* held, that the Bible was the ſole religious code of proteſtants; and that every man had a right to judge for himſelf, and to try all doctrines by it, and to worſhip according to what he apprehended that directed. In doctrinal tenets they agreed with the articles of the church of England. The main difference between them and other reformed churches, was about hierarchy. They maintained, that no particular church ought to conſiſt of more perſons than could

could worſhip in one congregation; that every man ought, in appearance, to be a true believer in Chriſt and ſubject to his authority; that when there was a ſuitable number of ſuch believers, who thought themſelves bound in conſcience to do it, they had a right to imbody into a church, by ſome certain contract or covenant, expreſſed or implied; and that, being imbodied, they were to chooſe all their officers, who were paſtors or teaching elders, mere ruling elders meant to aſſiſt the former, and qualified to teach occaſionally, and deacons who were to manage the temporalities of the church, to take care of the poor, and to officiate at the Lord's table by providing the bread and wine, laying the cloth, carrying the elements, &c. [The cuſtom of having ruling elders has now ceaſed.] The elders of both kinds were to form the preſbytery of overſeers and rulers. They alſo held, that no churches or church officers had any power over other churches or officers, to control or impoſe upon them, all having equal rights and privileges. Their own officers were removable by them upon juſtifiable reaſons; in caſe of capital errors, groſs miſconduct and the like. When they baptized, they rejected the ſign of the croſs, and other ceremonies not enjoined by ſcripture. They received the elements of the Lord's ſupper, in the table poſture of the day and place in which they lived. Excommunication they deemed to be wholly ſpiritual; and denied, that the church or its officers had any authority to inflict temporal pains and penalties. They conſidered no days as holy, but the Lord's day, which they obſerved with great ſtrictneſs. Solemn faſtings and thankſgivings, as the aſpects of Providence required, they had a pious

regard to, as agreeable to both natural and revealed religion.

A better ſet of emigrants never croſſed the *Atlantic*. "They were a plain, frugal, induſtrious, conſcientious and loving people; and, for the day in which they lived, and conſidering their education, poſſeſſed a good ſhare of politeneſs. The important light in which they viewed morality, led them, in many inſtances, to ſuch critical exactneſs, as would be deemed by the moderns ridiculous; from thence however the community derived ſubſtantial benefits. They have been ſtigmatized as enthuſiaſts; but nothing like enthuſiaſm is to be met with in the records of any of their tranſactions, either civil or eccleſiaſtic. Their piety indeed was eminent and fervent, but it was alſo rational; and their religion was that of the Bible, and had a proper influence upon their conduct."

The *Plymouthians* having cleared the way for other ſufferers to ſettle in *America*, with leſs difficulty and danger than what they had experienced; the fame of their plantation ſpreading through the weſtern parts of *England*; and the government in church and ſtate growing more and more oppreſſive; the territory of the
1628. *Maſſachuſett's-Bay* was purchaſed of the *Plymouth-Council*, and a company ſoon formed, who conſulted on ſettling a plantation, to which non-conforming *puritans* might emigrate in order to enjoy their own principles in full ſecurity. Their ſufferings had been moderated for a few years before *Elizabeth*'s death. The queen was far advanced in life; the next heir to the crown was a *preſbyterian*, who had ſubſcribed to the *Scotch* national covenant, and, with hands uplifted to heaven, had pronounced, "The

Scotch

Scotch kirk is the pureſt in the world, and the ſervice of the kirk of *England* an evil ſaid maſs in *Engliſh*, that wants nothing of the maſs but the liftings:" he had interceded for ſome of the perſecuted miniſters; and the biſhops were cautious of acting againſt a party, for whom king *James* had declared: but upon his aſcending the throne, the fears of the high church-men and the hopes of the non-conformiſts were ſoon ended. It was not long before the king became in the church a furious perſecutor of the non-conformiſts, and in the ſtate as errant a deſpot as his cowardice would allow. In ſtigmatizing for *Puritans*, all who ſtood by the laws of the land and oppoſed his arbitrary government, though ſtrenuous churchmen, he ſtrengthened the cauſe of the *church-puritans*: the former, called by way of diſtinction *ſtate-puritans*, joining the latter, both together became at length the majority of the nation.

Still the times were not mended; and the death of *James* made way for their becoming much worſe. King *Charles* unfortunately took for his boſom counſellor, in religious affairs, biſhop *Laud*, the moſt unqualified perſon for the purpoſe of any to be found in his three kingdoms: he alſo reſigned himſelf up to arbitrary councils.

The lowering proſpect thickened apace; the *Maſſachuſetts* Company therefore provided a ſafe retreat, in ſeaſon. They applied immediately to the improvement of their purchaſed territory; and ſent out Capt. *John Endicott* and others, with ſervants, to begin a plantation; who arrived at (what is now named) *Salem*. They ſoon after petitioned for a *royal charter*, hoping that their exiſtence and powers would be thereby ſecured and promoted.

1629. Mar. 4. moted. They ſucceeded, and a charter of incorporation was granted, making them a body politic, by the name of "The Governor and Company of the *Maſſachuſetts-Bay* in *New England*," with as full powers as any other corporation in the realm of *England*. The grant and ſale of the *Plymouth-Council* was confirmed. Till the annual election by the company could commence, the governor, deputy-governor, and eighteen aſſiſtants were ſpecified. The mode of governing, and of admitting freemen was preſcribed. They were empowered to elect and conſtitute ſuch other officers, as might be thought requiſite for the managing of their affairs; and to make laws and ordinances, not contrary to the laws and ſtatutes of the realm, for the good of the ſaid company, and the government of their lands and plantation, and the inhabitants thereof. They were allowed to tranſport perſons, whether ſubjects or ſtrangers, weapons, merchandiſe, &c. *any law to the contrary notwithſtanding* —ſuch was the diſpenſing power the king aſſumed. He alſo exempted them from paying cuſtom or ſubſidy for ſeven years: the governor and company, their factors and aſſigns, were to pay neither that nor any taxes IN *New England* for the *ſame ſpace*. All were freed from duties upon goods imported or exported for 21 years, except the old 5 per cent. cuſtom upon imports after the expiration of the ſeven years. All his majeſty's ſubjects going to and inhabiting the company's lands, together with their children, were to enjoy all the liberties of free and natural ſubjects, within any of his dominions, the ſame as though born in England. The king could mean only, that, by removing to and reſiding in the Maſſachuſetts, they ſhould not forfeit for themſelves,

ſelves or children, the privileges of *Engliſhmen*, and be treated as foreigners; and not, that they ſhould be governed by laws and officers of their own making or chooſing, perſonally or by repreſentation; for they were evidently diſtinguiſhed from the governor and company (of whom it appears to be ſuppoſed, that they were to remain in England) as theſe were authorized to adminiſter the oaths of ſupremacy and allegiance to all and every perſon or perſons, who ſhould hereafter go to inhabit the lands and premiſes of the company. Beſide, the governor and company were entruſted with the power of making laws, ordinances, &c. not contrary to the laws of England; of ſettling the government, and magiſtracy of the plantation, and its inhabitants; of naming all the officers; and of ſetting forth their ſeveral duties, powers and limits; and the king commanded that all ſuch laws, ordinances, &c. ſhould be publiſhed, in writing, under the common ſeal of the company, and thereupon be carefully obſerved and put into execution, according to their true meaning. The charter * does not once mention *liberty of conſcience* or *toleration*; though one † hiſtorian has inadvertently advanced, that "free liberty of conſcience was likewiſe granted to all who ſhould ſettle in the *Maſſachuſetts-Bay*, to worſhip God in their own way;" and another ‡, "the charter granted toleration to all chriſtians, except papiſts." The aſſertions apply only to the charter granted by king *William* and queen *Mary*.

* See the Charter in *Hutchinſon*'s Collection of Papers, p. 1—23.

† *Neale*'s Hiſtory of the Puritans, 4to. Vol. I. p. 543.

‡ *Hutchinſon*'s Hiſtory of the *Maſſachuſetts-Bay*. Vol. II. p. 3.

1629. April 30. The company, in the exerciſe of their chartered powers, determined that a governor and council of twelve, reſiding on the plantation, ſhould have the ſole ordering of its affairs and government. They appointed Capt. *Endicott* governor, and ſeven gentlemen going from England to be counſellors, and directed how the other five ſhould be elected, together with a deputy-governor and ſecretary.

Meſſrs. *Higginſon*, *Skelton*, *Bright*, *John* and *Samuel Browne* were of the ſeven counſellors nominated by the company. The three firſt, being miniſters, had declared themſelves to be of one judgment, and to be fully agreed in the manner how to exerciſe their miniſtry. The company's committee in their letter to governor *Endicott*, expreſſed good hopes on account of it; and at the ſame time recommended Meſſrs. *John* and *Samuel Browne* as men whom they much reſpected, being fully perſuaded of their ſincere affections to the good of the plantation *. The miniſters and paſſengers coming to ſettle in it, were epiſcopally inclined when they left England; though they could not conform to many ceremonies and cuſtoms, nor ſubmit to, what they judged, different corruptions, impoſed upon their conſciences by the king and prelates. They were alſo ſtrongly prejudiced againſt the *ſeparatiſts*, in which claſs the *Plymouthians* were numbered. But long before they arrived, or even ſailed, a Dr. *Fuller*, a deacon of the church at Plymouth, and well verſed in its diſcipline, having been ſent for, on account of a fatal ſickneſs which broke out among the emigrants after their arrival at *Salem*, had, by his converſation with Capt. *Endicott*, taken off the ill effect of common report, and brought

* Suffolk Records.

him

him to think favorably of the outward form of worſhip eſpouſed by the *Plymouthians*. The influence of the doctor's intercourſe with the *Salem* ſettlers cannot be thought to have been confined to the captain. When the buſineſs of organizing a church was brought forward after the arrival of the counſellors, the matter was frequently canvaſſed, and at length it was determined to form it, nearly upon the plan of the one at Plymouth; and to invite the latter to be preſent, by their meſſengers, at the ſolemn ordination of the miniſters Meſſrs. *Skelton* and *Higginſon*. Notwithſtanding croſs winds the Plymouth meſſengers were time enough to give the right hand of fellowſhip, by which ceremony the two churches profeſſed mutual affection and communion. Aug. 6.

Probably, none of the newly arrived ſettlers had the leaſt idea of ſuch eccleſiaſtic proceedings, when they left England; but thought very differently. Some continued to do ſo; for Mr. *Bright*, diſagreeing in judgment from the other miniſters, removed to a diſtance before their ordination; and Meſſrs. *John* and *Samuel Browne*, diſſatisfied with the proceedings of the ſociety, ſeparated with ſeveral who were like minded, and ſat up another. Governor *Endicott*, being of a hot temper and not poſſeſſed of the greateſt prudence, ſummoned the brothers before him, as ringleaders of a faction; and apprehending that their converſation and conduct would occaſion diviſions, ſent them back to *England*, againſt their own inclination, notwithſtanding their being counſellors, thinking himſelf juſtified by his public orders.

Let us return to the Company in *England*.

July 28. Mr. *Matthew Craddock*, the governor, propoſed at the general court, that, for the advancement of the plantation, the encouragement of perſons of worth and quality to tranſplant themſelves and families, and other weighty reaſons, the government of the plantation ſhould be transferred to its inhabitants, and not be continued in ſubordination to the company at *London*. The matter was debated; and it was agreed, that the perſons preſent ſhould ſeriouſly conſider the buſineſs againſt the next general court; it was alſo requeſted, that they would, in the mean while, conduct with that privacy, that the affair might not be divulged. At a month's end they met, and conſented that the government and patent ſhould be ſettled in *New England*, if it could be done legally. They ſoon after received letters reſpecting the difference between governor *Endicott* and Meſſrs. *John* and *Samuel Browne*; and fearing that theſe two had in their private letters defamed the plantation, they opened and read a number of them, and ordered that none from Mr. *Samuel Browne* ſhould be delivered; however, upon application from the brothers, they directed that they ſhould have a copy of the accuſation ſent againſt them from *New England*. The company's letters upon this buſineſs, one to Meſſrs. *Skelton* and *Higginſon*, and another to governor *Endicott*, intimated, that there had been in the parties addreſſed a degree of intemperance; that direct or oblique aſperſions had been thrown out againſt the ſtate; and that undigeſted counſels had been too ſuddenly put into execution. They beſides expreſſed an apprehenſion, leſt, through an ill conſtruction, the ſame might make the company obnoxious to any adverſary *.

* Suffolk Records.

The

The difference that happened in the plantation, the treatment of the *Brownes*, and the reports circulated by them, undoubtedly occaſioned much talk. Many would think it ſtrange, that, while the charter was totally ſilent upon the head of religion, and ſeveral of the grantees and company, though ſtrongly oppoſed to the tyrannies of the high churchmen, were real epiſcopalians, perſons of this profeſſion ſhould be debarred the right of worſhipping according to their own judgment and conſcience, and be even expelled the plantation. Theſe occurrences moſt probably forwarded the plan of Mr. *Craddock*. The advice of learned council was ordered to be taken, and it was conſidered how to execute the projected removal without offending government.

Among the other weighty reaſons which induced them to remove, we muſt include the hope of getting beyond the reach of *Laud* and the high commiſſion court: for the Maſſachuſetts general court declared in 1651, "That ſeeing juſt cauſe to fear the perſecution of the then biſhop and high commiſſion, for not conforming to the ceremonies, they thought it their ſafeſt courſe to get to this outſide of the world (America) out of their view, and *beyond their reach*."

The company, at a general court, proceeded to a new election of officers, who were to repair to and ſettle in *New England*. They choſe for governor *John Winthrop*, eſq; of *Groton* in *Suffolk*, a gentleman well known for his piety, liberality, wiſdom and gravity. The buſineſs of transferring the patent and corporation, and of taking over new ſettlers, was proſecuted with vigor. The enterpriſe produced a general rumor, as its extent and magnitude, the number and principles of the

1629. Oct. 20.

perſons engaging in it, opened upon the public. The intentions of the parties being ſuſpected, and jealouſies ariſing concerning them, governor *Winthrop* and other gentlemen, to remove prejudices, conciliate the minds of the diſaffected, and recommend themſelves and their expedition to the favorable regards of all ſerious chriſ-
1630. tians of the epiſcopal perſuaſion, addreſſed their brethren
Ap. 7. in and of the church of *England*, and afterward ſailed from *Yarmouth* in the iſle of *Wight*, for *America*. The ſigners of the addreſs, pray in the moſt ſolemn manner to be conſidered as their brethren, and deſire it to be noted, that the principals and body of their company eſteem it their honor to call the *church of* ENGLAND their dear mother. They acknowledge, that ſuch hope and part as they have obtained in the common ſalvation, they have received in her boſom, and ſuck'd from her breaſts. They declare themſelves members of her body; and that, while they have breath, they ſhall ſincerely endeavour her welfare. They pronounce themſelves a church ſpringing out of her own bowels. Their profeſſions are made in the ſtrongeſt language *.

June 12. The company arrived at *Salem*; and ſoon were in number more than fifteen hundred perſons, from different counties in England. They applied themſelves early to the forming of churches; but, the Rev. Mr. *Cotton* (who came from *Boſton* in *Lincolnſhire* to take leave of his departing friends at *Southampton*) having told them to adviſe with the *Plymouthians*, and to do nothing to offend them, and a precedent exiſting in the church at *Salem*, they diſmiſſed all the peculiarities of epiſcopacy, and preferred the congregational mode in

* *Hutchinſon's* Hiſtory, Vol. I. p. 487.

general.

general. However, they had no ſettled plan of church diſcipline, till after the arrival of Mr. *Cotton*, who was 1633. conſidered as a kind of oracle in both civil and ſacred matters, and gradually moulded all their church adminiſtrations, and thus determined the eccleſiaſtic conſtitution of the colony; therein verifying what Mr. *Robinſon* had judiciouſly predicted, when he ſaid, "Many of thoſe who have both wrote and preached againſt me and my people, were they in a place where they could have liberty and live comfortably, would do as we do *."

Governor *Winthrop* inſerted, in his manuſcript hiſtory, a couple of anecdotes, of an earlier date than Mr. Cotton's arrival, which may amuſe you. "July 30, 1631, Mr. *Ludlow* in digging the foundation of his houſe at *Dorcheſter*, found two pieces of *French* money, one was coined 1596. They were in ſeveral places, above a foot within the firm ground." "June 13, 1632, At *Watertown* there was, in the view of divers witneſſes, a great combat between a mouſe and a ſnake; and after a long fight, the mouſe prevailed and killed the ſnake. The miniſter of Boſton, Mr. Wilſon, a very ſincere holy man, gives this interpretation—"The ſnake is the devil, the mouſe is a poor contemptible people whom God has brought hither, and who ſhall overcome ſatan here, and diſpoſſeſs him of his kingdom." "At the ſame time he told the governor, that before he reſolved to come into the country, he dreamed that he was here, and ſaw a church ariſe out of the earth, which grew up and became a marvellous goodly church." He might think his dream divine; but it is eaſily accounted for as a common event, ariſing with the church-build-

* Prince's Chronology, p. 238.

ing

ing out of a lively imagination, warmed and directed by a preponderating inclination. If, inſtead of interpreting the combat, he had only mentioned, that the event ſuggeſted to him ſuch thoughts, and ſuch an improvement, he would have evidenced more judgment and an equal degree of wiſdom in ſeizing the happy circumſtance.

The colony increaſed apace, by frequent and numerous acceſſions. But "it appears by private letters, that the departure of ſo many of the beſt, both miniſters and private chriſtians, did breed ſad thoughts in thoſe behind of the Lord's intention in the work, and an apprehenſion of ſome evil days to come upon England; yea, it began to be viewed by the council as a matter of ſtate, ſo that warrants were ſent to ſtay the ſhips, and to call in the patent; but, upon the petition of the ſhip-maſters, alleging how beneficial the plantation was, they were releaſed: Mr. Craddock, however, had ſtrict charge to deliver in the patent, and wrote to the company to ſend it home upon receipt of his letter. 1634. July. The governor and aſſiſtants conſulted about it, and reſolved to anſwer Mr. Craddock, but not to return any anſwer or excuſe to the council, for the preſent *."

On the death of the duke of *Buckingham*, *Laud* became the king's prime miniſter in all affairs of both church and ſtate; and, on the death of archbiſhop *Abbot*, he was exalted to the ſee of *Canterbury*. Poſſeſſed of ſuch powers, he, by his pliant tools, *made havock of the church, baling and committing to priſon* conſcientious miniſters and laymen, who would not bend to his antiſcriptural impoſitions, ſo that the people were ſcattered abroad, and paſſed over the *Atlantic* into the

* Governor Winthrop's MS. Hiſtory.

wilds

wilds of *America*. The daily inroads of the court, on the civil rights of the ſubject, helped forward the emigration.

From the beginning of the colony, until the emigration ceaſed, through a change of affairs in England, 1640.
there arrived in 298 veſſels about 21200 ſettlers (men, women and children) or 4000 families, but they did not all confine themſelves to the *Maſſachuſetts*. Notwithſtanding the numbers that repaired thither, when Joſſelyn viſited Boſton, in 1638, "he found it rather a village than a town, there being not above 20 or 30 houſes." Theſe ſettlers were no leſs ſtrenuous for their own particular rights and privileges than the Plymouthians. When the governor and company removed from *London* to the *Maſſachuſetts*, they renounced the appearance of a corporation, and aſſumed the form of a commonwealth, varying, as it ſuited them, from the directions of the charter. The change of place and circumſtances prevented their keeping to it in certain inſtances, though not in others; but they could eaſily ſatisfy themſelves as to any violations; for "they apprehended themſelves ſubject to no other laws or rules of government, than what aroſe from natural reaſon and the principles of equity, except any poſitive rules from the word of God *." Perſons of influence among them held, that birth was no neceſſary cauſe of ſubjection; for that the ſubject of any prince or ſtate, had a natural right to remove to any other ſtate or quarter of the world, when deprived of liberty of conſcience; and that upon ſuch removal his ſubjection ceaſed. They called their own a voluntary civil ſubjection, ariſing

* Hutchinſon's Letter of December 7, 1762.

merely

merely from a mutual compact between them and the king, founded upon the charter. By this compact they acknowledged themſelves bound; ſo that they could not be ſubject to or ſeek protection from any other prince, neither could make laws repugnant to thoſe of *England*, &c. but, on the other hand, they maintained, that they were to be governed by laws made by themſelves, and by officers of their own electing *. They meant to be independent of Engliſh parliaments; and therefore, when their intimate friends were become leading members in the houſe of commons, and they were adviſed, on account of the great liberty to which king Charles left the parliament, to ſend over ſome to ſolicit for them, and had hopes given that they might obtain much, the governor and aſſiſtants, after meeting in council upon the occaſion, "declined the motion, for this conſideration, that, if they ſhould put themſelves under the protection of the parliament, they muſt then be ſubject to all ſuch laws as they ſhould make, or at leaſt ſuch as they might impoſe upon them, in which courſe (though they ſhould intend their good, yet) it might prove very prejudicial to them †."

Whatever approbation ſuch ſentiments may meet with from the friends of liberty, theſe muſt regret the inconſiſtencies to which human nature is ſubject, in thoſe very perſons whoſe experience ſhould have taught them, to do unto others, as they would that others ſhould have done unto them, when they themſelves were ſuffering under the relentleſs hand of arbitrary government. But,

* Hutchinſon's Hiſtory, Vol. I. p. 251, and 252.

† Extract from Governor *Winthrop*'s MS. Hiſtory, ſent me by Governor *Trumbull* from *Connecticut*.

what

what is man! So early as the second general court after the arrival of the governor and company, instead of resolving to admit all the suitable and deserving, to a generous participation of their freedom, they passed the pernicious and disingenuous order, "For time to come no man shall be admitted to the freedom of this body politic, but such as are members of some of the churches, within the limits of the same *." They soon after concluded, that none but such should share in the administration of civil government, or have a voice in any election. Thus a powerful and mischievous alliance was formed between the churches and the state. The ascendency of the clergy was secured and much increased; for no one could be proposed to the church for a member, unless the minister allowed it. The ministers were consulted by the general court, in all matters of great moment; and nothing was determined in such cases, without a formal reference to them; who, of course, used their influence with the people, to procure an approbation of the measures which they themselves had advised †. 1631. May 18.

Instead of the freemen's appearing personally in the general court, they for the first time sent deputies, to the number of twenty-four. This was a variation from the charter, which gave no power to admit representatives. These with the governor, deputy governor, and assistants, formed the legislature of the colony, met and voted together in one apartment till March 1644, when it was ordained, that the governor and assistants should sit 1634. May.

* Massachusetts Records, Vol. I. † Hutchinson's History, Vol. I. p. 424.

apart;

apart: and thus commenced the houſe of repreſentatives, as a diſtinct body.

The general court aſſumed ſpiritual juriſdiction. Being church members, they might ſuppoſe they repreſented the churches, no leſs than the colony. They would approve of no churches, after a certain period, unleſs they had the approbation of the magiſtrates and elders of moſt of the churches within the colony; nor would admit to freedom any of their members. They preſſed colonial uniformity in religion, till they became perſecutors *. Whatever apology may be made for the treatment given to epiſcopalians, baptiſts and quakers, the colony cannot be cleared from the charge of perſecuting: that, however, will not juſtify thoſe who perſecute with reproaches and ill-will the preſent generation, now reprobating the intolerance of their forefathers, which at that period was, more or leſs, the ſtain of moſt religious parties. "It was not peculiar to the Maſſachuſetts people to think themſelves bound in conſcience, to uſe the ſword of the civil magiſtrate to convince, or cut off heretics, that ſo they might not infect the church, or injure the public peace †." The true grounds of liberty of conſcience, were not then known or embraced by many ſects of chriſtians. But remember that the *Maſſachuſetts-Bay* now ſurpaſſes the mother country, in its regard for the ſacred and civil rights of mankind. It not only exempts thoſe of other denominations from paying to the ſupport of its own colonial eſtabliſhments, the congregational churches; and has been a great number of years in this laudable practice: but it protects all

1636. Mar. 8.

* Maſſachuſetts Records, in many places. † Mr. John Calender's Century Sermon.

proteſtants without requiring any qualifying ſubſcriptions or teſts, and excludes none by partial laws from the exerciſe of civil power.

The government was in divers reſpects abſolute. Both magiſtrates and general court often judged and puniſhed, in a ſummary way, without a jury, according to diſcretion, as occaſions occurred. It was four years before it was enacted or ordered, that no trial ſhould paſs upon any for life or baniſhment, but by a jury of freemen: and within three years after, that law was 1637. violated even by the general court. They exerciſed, while ſitting, legiſlative, judicial, and executive powers —a practice which muſt ever be dangerous to the rights of a people, even when allowed to their own annual repreſentatives.

The country at length grew uneaſy at theſe proceedings; were ſuſpicious that the general court affected arbitrary government; and earneſtly expected a body of laws to direct and protect them in all their juſt rights and privileges *. It was the more neceſſary to comply with the prevailing expectation, for the buſineſs had been long in agitation: not only ſo, but a great majority of the inhabitants were not freemen, not being members of the congregational churches, or declining to take up their freedom, in order to ſecure an exemption from ſerving in civil offices. It was not, till 1648 that the 1648. body of laws was digeſted and printed.

The conduct of the colony on the one hand, and the inveteracy of the Engliſh adminiſtration on the other, would certainly have produced a revocation of the charter, and probably the ruin of the plantation, had

* Maſſachuſetts Records for the 4th of November, 1646, Vol. I.

not

not the disturbances in England prevented. It became a favorite, upon the change that followed them; and, while *Oliver Cromwell* ruled, met with the utmost indulgence. From 1640 to 1660, it approached very near to an independent commonwealth *. The house of commons, in a memorable resolve of the 10th of March, 1642, passed in favor of it, gives *New England* the title of *kingdom* †. The commissioners for *New England*, sent over by king *Charles* II. assert in their narrative ‡, that the colony solicited *Cromwell* to be declared a free state, which is not unlikely.

It has been already mentioned, that all the persons passing over to the *Massachusetts* did not confine themselves to that colony.

1635. Several families removed to *Connecticut* river, by mutual agreement with their fellow emigrants that remained behind. Plantations were formed at *Hartford*, *Windsor*, and *Weathersfield*. The inhabitants being soon after fully satisfied, that they were out of the Massachusetts limits, and of course jurisdiction, entered into
1639. a combination among themselves; became a body politic, without restraining the freedom of their civil government to the membership of their churches; and proceeded to the choice of magistrates and representatives. By the articles of government, it was determined that there should be annually two general courts; and that no person should be chosen governor more than once in two years. But it must be observed, that the same year, in which the families removed from the Massachusetts, Lords *Say* and *Brooke*, with other

* Hutchinson's History, Vol. II. p. 2 and 3. † Ibid. Vol. I. p. 115. ‡ Hutchinson's Collection, p. 420.

gentlemen,

gentlemen, having obtained a grant, John Winthrop, eſq; was appointed governor, took poſſeſſion of Connecticut river, and began to erect a fort (which he called Say-Brooke) to ſecure the mouth of it. He was ſupplied with men, proviſions and all things neceſſary, by a veſſel from England, ſent by the grantees, which arrived the latter end of November. Some of the grantees had in contemplation tranſporting themſelves, families and effects, to the territory they had obtained; but the deſign of emigrating was laid aſide, when matters began to take a new turn in their native country; and at length the agent, Mr. *Fenwick*, was authorized to diſpoſe of their lands, which were purchaſed, in 1644, by the people who had removed from the Maſſachuſetts.

Two large ſhips arrived at the *Maſſachuſetts-Bay* 1637. with paſſengers from *London*. Great pains were taken to prevail upon them to remain in the colony; but they hoped by removing to a conſiderable diſtance, to be out of the reach of a general governor, with whom the country was then threatened. They ſent to their friends in *Connecticut* to purchaſe of the natives the lands lying between them and *Hudſon*'s river. They laid the foundation of a flouriſhing colony, of which *New Haven* was the capital. They, as Connecticut, formed a government, much like the Maſſachuſetts, by a voluntary agreement, without any charter, or commiſſion, or authority whatſoever, from the crown or other powers in England. They admitted no one to any office civil or military, or to have a voice in any election, except he was a member of one of the churches in New England. They had no jury, either in civil or criminal caſes.

Connecticut and *New Haven* continued two diſtinct colonies for many years. At length the general court of Connecticut determined to prefer an addreſs and petition to Charles II. profeſſing their ſubjection and loyalty to his majeſty, and ſoliciting a royal charter; and John Winthrop, eſq; who had been choſen governor, was appointed to negotiate the affair with the king. He ſuc-
1662. ceeded and a royal charter was obtained, conſtituting the
Apr. 23. two colonies for ever one body corporate and politic. New Haven took the affair ill; and for ſome time declined the union. But difficulties were amicably ſettled
1665. at laſt, and the colonies united by agreement.

The royal charter eſtabliſhed a pure democracy. Every power, as well deliberative as active, was inveſted in the freemen of the corporation or their delegates, and the colony was under no obligation to communicate the acts of their local legiſlature to the king. It was the ſame as to the *royal* charter, granted the next year to *Rhode Iſland and Providence Plantations* *.

1685. In July various articles of high miſdemeanor were exhibited againſt the governor and company of Connecticut; and orders were given to iſſue a writ of *quo warranto* forthwith againſt the colony. The next year two writs were ſerved by Mr. *Randolph*; and after them a third in December. This is taken notice of by the governor and company in their letter of Jan. 26, 1686-7, wherein they mention their readineſs to ſubmit to his majeſty's royal commands; and that, "if it be to conjoin them with the other colonies and provinces under Sir *Edmund Andros*, it would be more pleaſing than to

* Chalmers's Political Annals, under Connecticut and Rhode-Iſland.

be

be joined with any other province." Such profeſſed ſubmiſſion probably prevented the *quo warranto's* being proſecuted with effect; and produced an order to Andros to accept the ſurrender of the charter and the ſubmiſſion of the colony. Sir Edmund went to *Hartford* in October; but when at night he expected the charter would have been ſurrendered into his hands, the candle was blown out, and the charter withdrawn from the table, carried off and ſecreted by one of the company: whoſe extraordinary ſervice was afterward rewarded, by the general aſſembly with five ſhillings, agreeable to the plain ſimple manners of the people. He however publiſhed in the general court his orders and commiſſion, which every one tacitly obeyed. He diſſolved the former government, and aſſumed the adminiſtration, receiving into his legiſlative council the late governor and ſecretary, for the better carrying on the buſineſs of the colony. The ſubſequent revolution in England brought matters back, after a while, to their former courſe, as the legal validity of the charter was admitted.

The peopling of theſe three laſt colonies was owing chiefly to the *Puritan Miniſters*, who, being ſilenced at home, repaired to *New England*, that they might enjoy liberty of conſcience; and drew after them vaſt numbers of their friends and favorers. They amounted to ſeventy-ſeven before 1641; and though all were not perſons of the greateſt learning and abilities, they had a better ſhare of each than moſt of their neighbouring clergy at that period; and were men of eminent ſobriety and virtue, plain, ſerious, affectionate preachers, exactly conformable to the doctrines of the church of *England*, and labored much to promote a reformation of manners in

their ſeveral pariſhes. Many planters, who accompanied or followed them, were gentlemen of conſiderable fortunes and of no mean education, who ſpent their eſtates in New England, and were at the charge of bringing over many poor families, that were not able of themſelves to bear the expenſe *. The body of laity and clergy, collectively conſidered, furniſhes ſuch a glorious conſtellation of characters, as would employ the pen of a firſt-rate writer to do them juſtice; notwithſtanding what has been above remarked of their governmental miſtakes.

The dangers to which the *New England* colonies were early expoſed, induced them to think of confederating for their mutual ſafety. Articles were drawn up in 1638; but they were not finiſhed and ratified till the
1643. Sept. 7. ſeventh of September 1643; from which time we are to look upon *Plymouth*, *Maſſachuſetts*, *Connecticut* and *New Haven* as one body, in regard to all public tranſactions with their neighbours, though the private affairs of each colony were ſtill managed by their own courts and magiſtrates.

Paſs we on to the ſettlement of the other *New England* colonies.

Mr. *Roger Williams*, who ſucceeded Mr. *Skelton*, upon his deceaſe, as paſtor of the church at Salem, being baniſhed from the Maſſachuſetts, repaired with twelve
1635. companions to the *Narraganſet* country, and had land given him by the *Indian Sachem Canonicus*; of whom he afterward purchaſed the large tract, lying between *Pawtucket* and *Pawtuxet* rivers (the great falls and the little falls; as the Indian names ſignify,) and ſtiled it

* Neale's Hiſtory of *New England*, Vol. I. 214—217.

Providence

Providence "from a ſenſe of God's merciful Providence to him in his diſtreſs." The authority and power of *Miantonomy*, another Sachem, and his uncle *Canonicus*, awed all the Indians round to aſſiſt him and his few aſſociates. When the determinations of the Maſſachuſetts general court (occaſioned, by what they called antinomian diſputes) baniſhed many and induced others to leave the colony, the heads of the party were entertained in a friendly manner by Mr. *Williams*; who adviſed 1638.
them to ſeek a ſettlement on *Rhode Iſland*, and was very inſtrumental in procuring it of the Indian Sachems.

They, to the number of eighteen, incorporated themſelves, and began ſettling the iſland. The plantations there and at Providence increaſed apace, owing to the liberal ſentiments of the firſt ſettlers: and in 1643 Mr. *Williams* went to England as agent, and obtained "a 1644.
free and abſolute charter of incorporation of *Providence* Mar.
and *Rhode Iſland* Plantations, empowering them to rule themſelves, by that form they might voluntarily agree upon." They agreed upon a democratic. Mr. *Williams* juſtly claims the honor of having been the firſt legiſlator in the world, in its latter ages, who effectually provided for, and eſtabliſhed, a free, full, and abſolute liberty of conſcience. This was the chief cauſe that united the inhabitants of *Rhode Iſland* and thoſe of *Providence*, and made them one people, and one colony. The foundation principle on which this colony was firſt ſettled, was, that "*every man who ſubmits peaceably to the civil authority, may peaceably worſhip God according to the dictates of his own conſcience without moleſtation.*" When the colony was applied to in 1656 by the four *United Colonies* "to join them in taking effectual methods to

ſuppreſs the quakers, and prevent their pernicious doctrines being propagated in the country;" the aſſembly returned for anſwer "We ſhall ſtrictly adhere to the foundation principle on which this colony was firſt ſettled."

1663, July 8. King *Charles* II. granted an ample charter, whereby the colony was made a body corporate and politic, by the name of the *Governor and Company of the Engliſh Colony of Rhode Iſland and Providence Plantations in New England in America.* The charter reſerved only allegiance to the king, without the ſmalleſt ſhare of the legiſlative or executive powers.

1685. A writ of *quo warranto* was iſſued out againſt the colony, which was brought June 26, 1686. The aſſembly determined not to ſtand ſuit. After the revolution, they were allowed by government to reſume their charter, no judgment having been given againſt it.

New Hampſhire and the *Main* were ſettled about the ſame time with the *Maſſachuſetts*, by different proprietors who had obtained patents; and whoſe views were to enrich themſelves, by the fiſhing trade at ſea, and the beaver trade aſhore. Religion had little concern in the ſettlements: but it had ſome in the plantation of *Exeter*, on the river *Paſcataqua*; which was began by Mr. *Wheelwright* (a miniſter baniſhed from the Maſſachuſetts, on account of the antinomian diſſenſions with which the colony was convulſed,) and by a number of his adherents. They formed themſelves into a body politic. Three other diſtinct governments were alſo eſtabliſhed on the branches of the ſaid river. Theſe governments, being altogether voluntary, had no ſecurity as to their continuance; and the ſeveral ſettlers were

too divided in opinion to form any good general plan of permanent adminiſtration. Therefore the more conſiderate among them treated with the Maſſachuſetts, about taking them under its protection; which fully ſuited the wiſhes of that colony, as it afforded the heads of it the opportunity of realizing the conſtruction they had put upon a clauſe of their charter, by which they extended their line, ſo as to comprehend both *New Hampſhire* and the *Main*. The buſineſs terminated in the incorporation of the two colonies, on condition that the inhabitants of each ſhould enjoy equal privileges. They continued long united, and were of one heart and mind in civil and religious affairs *. When ſeparated by the king's commiſſion for the government of *New Hampſhire*, the new aſſembly at their firſt meeting, in a letter of March 25, 1680, to the governor of the Maſ- 1680.
ſachuſetts, to be communicated to the general court, expreſſed their full ſatisfaction in the paſt connection; a grateful ſenſe of the care that had been exerciſed over them; and of their having been well governed; and an unfeigned deſire, that a mutual correſpondence between them might be ſettled †.

The towns in the province of *Main*, after a time, fell into a ſtate of confuſion. The Maſſachuſetts took that opportunity, for encouraging the diſpoſition which prevailed in many of the inhabitants to ſubmit to their juriſdiction; and, to forward their compliance, granted 1652.
the people larger privileges than were enjoyed by their own; for they were all freemen upon taking the oath, whereas every where elſe no one could be made free, unleſs he was a church member. The province was

* Hutchinſon's Hiſtory, Vol. I. p. 268. † Ibid. p. 328.

made a county, by the name of *Yorkſhire:* and the towns ſent repreſentatives to the general court at *Boſton.* Though the major part of the inhabitants were brought to conſent to this regulation, great oppoſition was made by ſome principal perſons, who ſeverely reproached the Maſſachuſetts, for uſing force in order to reduce the province: but the people experienced the benefit of it, and were contented. They continued in union with the Maſſachuſetts until 1665, when a ſhort ſeparation commenced.

You have now a ſketch of the ſettlement of all *New England.* It would have been far more conciſe, had it not been neceſſary, to correct the miſtakes frequently committed, by thoſe who publiſh on the ſubject; and to remove the reproaches caſt upon the bulk of the inhabitants, on account of their religious profeſſion. Whether there was any material difference between them and the other colonies, in regard to the opinion they entertained of their civil rights, you will be able to obſerve in the courſe of your reading. Their judgment in reſpect to the exerciſe of parliamentary powers over them, may be further known by what *Randolph* wrote concerning the Maſſachuſetts, in his narrative and letters, after the reſtoration; from whence "*it ſeems to have been a general opinion that acts of parliament had no other force, than what they derived from acts paſſed by the general court to eſtabliſh or confirm them.*"

1676. *Randolph* declared, "No law is in force or eſteem there, but ſuch as are made by the general court; and therefore it is accounted a breach of their privileges, and a betraying the liberties of the commonwealth to urge the obſervation of the laws of *England.*"—"No oath ſhall be

be urged, or required to be taken by any perſon, but ſuch oath as the general court hath conſidered, allowed, and required."—"There is no notice taken of the act of navigation, plantation, or any other laws made in *England* for the regulation of trade."—"All nations have free liberty to come into their ports, and vend their commodities without any reſtraint; in this as well as in other things, that government would make the world believe they are a free ſtate, and do act in all matters accordingly."—"The magiſtrates have continually diſobeyed his majeſty's command in his royal letters of 1662, 64, 65, 66, and thoſe of March laſt; ever reſerving to themſelves a power to alter, evade and diſannul any law or command not agreeing with their humor, or the abſolute authority of their government, acknowledging no ſuperior."—"He (the governor) freely declared to me, that the laws made by your majeſty and your parliament obligeth them in nothing, but what conſiſts with the intereſt of the colony; that the legiſlative power is and abides in them *ſolely* *."

The *Maſſachuſetts* general court, in a letter to their agents, mentioned, that not being repreſented in parliament, they looked not upon themſelves to be impeded in their trade by the acts of trade and navigation, and that theſe could not be obſerved by his majeſty's ſubjects in Maſſachuſetts without invading their liberties and properties, until the general court made proviſion therein by a law, which they did in October. Notwithſtanding 1679.

* See Hutchinſon's Collection of papers, p. 477—506. The Maſſachuſetts aſſembly in their anſwer to governor Hutchinſon in 1773 quote the above paſſages in ſuch a manner and to ſuch a purpoſe, as expreſſes their opinion of the truth of what Randolph declared.

ſuch

ſuch law, and a ſubſequent order Feb. 15, 1681, "that the act of navigation and the act for encouragement of trade, be publiſhed in Boſton by beat of drum, and all clauſes in ſaid acts relating to the plantation be ſtrictly obſerved," *Randolph* complained to the commiſſioners of the cuſtoms in England, becauſe of their not being duly obſerved. When the people found themſelves in danger of a *quo warranto*, they agreed upon ſuch emendations of their acts of trade, as to make them accord in all things with the laws of England. But it was too late. A *quo warranto* was ſent them, and brought by
1683. *Randolph*, Nov. 3, 1683; and the next year a writ of
Nov. 3. *ſcire facias* was proſecuted in the court of chancery againſt the governor and company, and judgment given, that the charter ſhould be annihilated. Conſidering the temper of *Charles* II. it is rather matter of aſtoniſhment, that the ſentiments and conduct of the Maſſachuſetts government did not provoke him to vacate the charter much ſooner. However mortifying, yet it would have been more prudent, to have declined contending with the king, when they knew that they muſt be vanquiſhed, than virtually to bid him defiance. Such ſubmiſſion might not have ſaved them from the arbitrary government that followed, but could have been of no diſſervice, had there not been a ſubſequent revolution: that event taking place, it would have been extremely beneficial. They might have been allowed to reſume their charter, nearly, if not wholly.

Before we proceed to the ſouthward, let it be noted,
1672. that in 1672 the Engliſh parliament enacted by law, "That if any veſſel, which by law may trade in the plantations, ſhall take on board any enumerated commodities,

modities, and a bond ſhall not have been given with ſufficient ſecurity to unlade them in England, there ſhall be rendered to his majeſty, for ſugars, tobacco, ginger, cocoa nut, indigo, logwood, fuſtic, cotton wool, the ſeveral duties mentioned in the law, to be paid in ſuch places in the plantations, and to ſuch officers as ſhall be appointed to collect the ſame: and for their better collection, it is enacted, that the whole buſineſs ſhall be managed, and the impoſts be levied by officers appointed by the commiſſioners of the cuſtoms in England." This is the firſt act that impoſed cuſtoms on the colonies alone, to be regularly collected by colonial revenue officers. But the beſt affected colonies, Barbadoes, Virginia and Maryland, conſidering the laws of trade either as inconſiſtent with their privileges, or deſtructive of their infant commerce, heſitated to obey, or eluded the proviſions of the laws; and trafficked without reſtraint, wherever hope of gain directed their navigators. Charles II. reprimanded them, and his ſucceſſors gave ſtanding inſtructions upon the head, but without effect *.

Governor *Nicholſon* of Maryland wrote to the board of trade, Auguſt 1698, "I have obſerved that a great many people in all theſe provinces and colonies, eſpecially in thoſe under proprietaries, and the two others under Connecticut and Rhode Iſland, think that no law of England ought to be in force and binding to them without their own conſent; for they fooliſhly ſay, they have no repreſentatives ſent from themſelves to the parliament of England: and they look upon all laws made in England, that put any reſtraint upon them, to be

* Chalmers's Political Annals, p. 313.

great

great hardſhips." Theſe were the colonial ſentiments two years after paſſing the famous declaratory act of William and Mary, which you will find mentioned below. Molyneux's Caſe of Ireland, aſſerting openly the ſame doctrines, was firſt publiſhed in Feb. 1697-8.

The colony of *New-York* demands our next attention. The Dutch had ſettled, and named it the *New Netherlands*.

1664. Charles II. reſolved upon its conqueſt in 1664, and in March granted to his brother the duke of York, the region extending from the weſtern banks of Connecticut to the eaſtern ſhore of the *Delaware*, together with *Long Iſland*, conferring on him the civil and military powers of government. Colonel *Nichols* was ſent with four frigates and three hundred ſoldiers to effect the buſineſs. The Dutch governor being unable to make reſiſtance, the New Netherlands ſubmitted to the Engliſh crown, in September, without any other change than of rulers. Few of the Dutch removed: and Nichols inſtantly entered upon the exerciſe of his power, as deputy governor of the duke of York, the proprietary.

1673. In July 1673, the Dutch repoſſeſſed themſelves of the province, by attacking it ſuddenly when in a defenceleſs ſtate. By the peace in February following it was reſtored. The validity of the grant, while the Dutch were in quiet poſſeſſion having been queſtioned, the duke of York thought it prudent to obtain a new one the following June: and *Edmund Andros* having been appointed governor, the Dutch reſigned their authority to him in October. Thus was New-York regained: but the inhabitants were again enſlaved to the will of the conqueror; for, being admitted to no ſhare in the legiſlature,

legiſlature, they were ſubject to laws, to which they had never aſſented.

To be relieved from a ſervitude that had degraded 1681.
the colony, and now gave diſſatisfaction to every one, the council, the court of aſſizes and the corporation of New-York, concurred in ſoliciting the duke, "to permit the people to participate in the legiſlative power." The duke, though ſtrongly prejudiced againſt democratic aſſemblies, yet in expectation that the inhabitants would agree to raiſe money to diſcharge the public debts, and to ſettle ſuch a fund for the future as might be ſufficient for the maintenance of the government and garriſon, informed the lieutenant-governor, in 1682, 1682.
that "he intended to eſtabliſh the ſame frame of government as the other plantations enjoyed, particularly in the chooſing of an aſſembly."

Mr. Dongan was appointed governor in September, and inſtructed to call an aſſembly, to conſiſt of a council of ten, and of a houſe of repreſentatives, choſen by the freeholders, of the number of eighteen members. The aſſembly was empowered to make laws for the people, agreeable to the general juriſprudence of the ſtate of England, which ſhould be of no force, however, without the ratification of the proprietary. "Thus the inhabitants of New-York, after being ruled almoſt twenty years at the will of the duke's deputies, were firſt admitted to participate in the legiſlative power."

An aſſembly was called on governor Dongan's arrival, 1683.
which paſſed an act of general naturalization, in order to give equal privileges to the various kinds of people then inhabiting the province: together with an act "declaring the liberties of the people;" as alſo one

"for

"for defraying the requiſite charges of government for a limited time." The legiſlature was convened once
1684. more in Auguſt 1684, when it explained the laſt act. Theſe ſeem to have been the only aſſemblies called prior to the revolution.

When the duke became king of England, he refuſed to confirm that grant of privileges to which as duke he had agreed. He eſtabliſhed a real tyranny, and reduced New-York once more to the deplorable condition of a conquered province.

New Jerſey, which was alſo taken from the *Dutch* (who were conſidered as having no right to any of their ſettlements in theſe parts of America) was included in the grant to the duke of York. The duke diſpoſed of it to Lord *Berkely* and Sir *George Carteret*; who, being ſole
1664. proprietors, for the better ſettlement of it, agreed upon certain conſtitutions of government, ſo well reliſhed, that the eaſtern parts were ſoon conſiderably peopled. One of the ſtipulations was, "no qualified perſon, at any time, ſhall be any ways moleſted, puniſhed, diſquieted or called into queſtion, for any difference in opinion or practice in matters of religious concernments, who does not actually diſturb the civil peace of the province; but all and every ſuch perſon and perſons, may, from time to time, and at all times, freely and fully have and enjoy his and their judgments and conſciences, in matters of religion, they behaving themſelves peaceably and quietly, and not uſing this liberty to licentiouſneſs, nor to the civil injury or outward diſturbance of others; *any law, ſtatute, or clauſe contained, or to be contained, uſage or cuſtom of the realm of England, to the contrary thereof in any wiſe notwithſtanding*."*

* Smith's Hiſtory of New-Jerſey, p. 513.

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The lords proprietors further agreed, "for the better ſecurity of all the inhabitants in the province—That *they are not to impoſe*, NOR SUFFER TO BE IMPOSED, *any tax, cuſtom, ſubſidy, tallage, aſſeſſment, or any other duty whatſoever, upon any colour or pretence, upon the ſaid province and inhabitants thereof, other than what ſhall be impoſed by the authority and conſent of the general aſſembly*."* What can more ſtrongly expreſs the then opinion of Lord *Berkely* and Sir *George Carteret*, as to the parliament's having no right to tax the inhabitants of the province, poſſeſſed by them as lords proprietors!

Lord *Berkely* ſold his moiety of the province to *John* 1674.
Fenwick, in truſt for *Edward Byllinge* and his aſſigns. After which the proprietors, *E. Byllinge*, *William Penn*, *Gawen Lawrie*, *Nicholas Lucas*, and *Edmond Warner*, of the quaker perſuaſion, agreed with Sir *George Carteret* 1676.
upon a diviſion; and that his moiety ſhould be called *New Eaſt-Jerſey* and theirs *New Weſt-Jerſey*. The agreement reſpecting the *not impoſing or ſuffering to be impoſed any tax, &c.* was adopted: the other ſtipulation is worded ſomewhat differently—"No men, nor number of men upon earth, hath power or authority to rule over men's conſciences in religious matters; therefore it is conſented, agreed and ordained, that no perſon or perſons whatſoever, within the province, at any time or times hereafter, ſhall be any ways, upon any pretence whatſoever, called in queſtion, or in the leaſt puniſhed or hurt, either in perſon, eſtate or privilege, for the ſake of his opinion, judgment, faith or worſhip towards God in matters of religion; but that all and every ſuch perſon and perſons, may from time to time, and at all times, freely and fully have and enjoy his and their

* Ibid. p. 517.

judgments,

judgments, and the exerciſe of their conſciences, in matters of religious worſhip, throughout all the province *." It was alſo agreed, " that all elections be not determined by the common and confuſed way of cries and voices; but by putting balls into balloting boxes, to be provided for that purpoſe, for the prevention of all partiality, and whereby every man may freely chooſe according to his own judgment and honeſt intention †."

Soon after, many quakers reſorted to *Weſt-Jerſey* from England, and the country filled apace. But the people early experienced the dreadful effects of arbitrary power. Major *Andros*, the governor of *New-York*, impoſed 10 per cent. on all goods imported at the *Hoar-kill* ‡, and demanded 5 per cent. of the ſettlers at arrival or afterward, though neither *Weſt-Jerſey*, nor the *Hoar-kill*, was legally under his juriſdiction. They complained of the hardſhip from the firſt, but bore it patiently, till about
1680. 1680, when application was made to the duke of York, who referred the matter to the council, where it reſted for a conſiderable time, and then was reported in their favor, and the duty ordered to be diſcontinued. Among the arguments uſed by Meſſrs. *William Penn*, *George Hutchinſon* and others, chiefly if not all quakers, in the paper preſented to the duke's commiſſioners, were theſe, " Powers of government are expreſsly granted, in the conveyance Lord Berkely made us; for that only could have induced us to buy it; and the reaſon is plain, becauſe to all prudent men, the government of any place

* Smith, p. 528, 529. † Ibid. 536.

‡ Corrupted by time into *Whore-kill*. The names of many rivers, in New-York government particularly, terminate with *kill*, which means both river and rivulet.

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is more inviting than the ſoil; for what is good land without good laws; the better, the worſe. And if we could not aſſure people of an eaſy and free, and ſafe government, both with reſpect to their ſpiritual and worldly property, that is, an uninterrupted liberty of conſcience, and an inviolable poſſeſſion of their civil rights and freedoms, by a juſt and wiſe government, a mere wilderneſs would be no encouragement; for it were a madneſs to leave a free, good, and improved country, to plant in a wilderneſs; and there adventure many thouſands of pounds, to give an abſolute title to another perſon to tax us at will and pleaſure. Natural right and human prudence oppoſe ſuch doctrine all the world over, as ſays, "that people, free by law under their prince at home, are at his mercy in the plantations abroad." The king's grant to the duke of York, is plainly reſtrictive to the laws and government of England. Now, we humbly conceive, it is made a fundamental in our conſtitution and government, that the king of England cannot juſtly take his ſubjects goods without their conſent: this needs no more to be proved than a principle; 'tis *jus indigene*, an home-born right, declared to be law by divers ſtatutes; as in the great charter, ch. 29, and 34. Ed. III. ch. 2; again 25 Ed. ch. 7 *. To give up the power of making laws is to change the government, to ſell or rather reſign ourſelves to the will of another; and that for nothing: for we buy nothing of the duke, if not the right of an undiſturbed colonizing, with no diminution, but expectation of ſome increaſe

* The manuſcript copy contains a number of authorities from Bracton, Forteſque, the Petition of Right, &c. See Smith, p. 120, the note.

of thoſe freedoms and privileges enjoyed in our own country. We humbly ſay, that we have not loſt any part of our liberty, by leaving our country; but we tranſplant to a place, with expreſs limitation to erect no polity contrary to the eſtabliſhed government (of England), but as near as may be to it; and this variation is allowed, but for the ſake of emergencies; and that latitude bounded with theſe words, *for the good of the adventurer and planter.* This tax is not to be found in the duke's conveyances, but is an after buſineſs. Had the planters foreſeen it, they would ſooner have taken up in any other plantation in America—[a plain intimation that no ſuch tax was impoſed in any other American plantation.] Beſide, there is no end of this power; for ſince we are by this precedent aſſeſſed without any law, and thereby excluded our Engliſh right of common aſſent to taxes; what ſecurity have we of any thing we poſſeſs? We can call nothing our own, but are tenants at will, not only for the ſoil, but for all our perſonal eſtates; we endure penury, and the ſweat of our brows, to improve them at our own hazard only. This is to tranſplant from good to bad. *This ſort of conduct has deſtroyed government, but never raiſed one to any true greatneſs* *."

The paper preſented to the duke's commiſſioners, evidently proves, that it was the opinion of theſe gentlemen, who were quakers, that no tax could be juſtly impoſed upon the inhabitants, without their own conſent firſt had, and by the authority of their own general aſſembly. The report of the council in favor of the aggrieved, and the relief that followed, were virtual

* Smith, p. 117—123.

conceſſions to the ſame purport. This will not be judged wholly unprecedented by thoſe who are acquainted with what happened relative to the county-palatine and city of *Cheſter* in the 35th year of the reign of *Henry* VIII. 1543. The inhabitants complained in a petition to the king, that for want of knights and burgeſſes in the court of parliament, they ſuſtained manifold damages, not only in their lands, goods and bodies, but in the civil and politic governance and maintenance of the commonwealth of their ſaid county: and that while they had been always bound by the acts and ſtatutes of the ſaid court of parliament, the ſame as other counties, cities and boroughs, that had knights and burgeſſes in ſaid court, they had often been touched and grieved with acts and ſtatutes made within the ſaid court, as well derogatory unto the moſt ancient juriſdictions, liberties and privileges of the ſaid county-palatine, as prejudicial unto the commonwealth, quietneſs and peace of his majeſty's ſubjects. They propoſed to the king, as a remedy, that it would pleaſe his highneſs, that it be enacted, with the aſſent of the lords ſpiritual and temporal, and by the commons in parliament aſſembled, that from the end of the ſeſſion the county-palatine ſhall have two knights for the ſaid county, and likewiſe two citizens to be burgeſſes for the city of Cheſter. The complaint and remedy were thought to be ſo juſt and reaſonable, that the relief for which they prayed was granted, and they were admitted to ſend repreſentatives to parliament, to guard their intereſts and to ſecure their liberties and privileges.

The reaſons for my paſſing from the Jerſeys to Virginia will ſoon be obvious.

Virginia was the original name for all the Engliſh North American continental claims, given in honor to the virgin queen, Elizabeth. King James, being applied to, granted letters patent to a body of gentlemen
1606. on the 6th of April, 1606, with powers to divide themſelves into two diſtinct companies, the one conſiſting of London adventurers, called the firſt or ſouthern colony of Virginia; the ſecond or northern colony, compoſed of merchants belonging to Briſtol, Plymouth, and Exeter. The territory granted to the firſt or ſouthern colony was generally called *Virginia*, without any diſtinguiſhing epithet; and retained that name after the ſecond or northern colony obtained the name of New-England in 1614.

The London company applied their attention immediately to the forming of a ſettlement, and ſent off a hundred and ten emigrants, who arrived on the coaſt of
1607. Virginia April 29th, 1607: a party landed on the promontory, called, in honor of the prince of Wales, *Cape Henry*; afterward proceeded to and took poſſeſſion of a peninſula in James-river, and began a ſettlement at *James-town*. The inſtructions given by the company of proprietors, when they ſent out their ſecond ſupply the following year, ſhow that the moſt active projectors in England had for their chief objects diſcovery and gain, rather than colonization.

1609. A new charter was obtained: many of the firſt nobility and gentry were added to the former proprietors, and were incorporated by the name of "The Treaſurer and Company of adventurers, of the city of London, for the firſt colony of Virginia." To them was granted in abſolute property the lands extending from Cape Comfort

ſort along the ſea-coaſt ſouthward 200 miles, from the ſame promontory 200 miles northward, and from the Atlantic weſtward to the South-ſea. The company was empowered to make ordinances for the colony, and for thoſe on the ſeas going thither. There was granted to the treaſurer and company and their aſſigns, a freedom from all ſubſidies in Virginia for 21 years, and from all impoſitions on importations and exportations to and from England, or any other of the king's dominions, "except only the five pounds in the hundred due for cuſtoms." Little was conceded to the emigrants by the charter; and much conferred on the corporation. The coloniſts were to be governed by the ordinances of a corporation reſiding in England, in which they were not repreſented, and over the deliberations of which they had no control. The powers of the corporation were indeed controlable, as it was ſubject to the ſuperintendence of the courts of juſtice within the realm, which could compel it to act agreeable as well to the grant, as to the laws of the ſtate.

The adventurers, warmed with golden dreams of great riches, ſoon fitted out nine ſhips, with 500 emigrants, and every neceſſary for the eſtabliſhment of a permanent colony, excepting ſuitable encouragement to the ſettlers. Lord Delaware was appointed captain-general for life. Only ſeven veſſels arrived ſafe.

When Mr. Smith, who had governed the colony, departed for England, he left behind him 500 perſons, of whom, what with bad management, diſſenſions, attacks from the Indians, waſte of proviſions, which occaſioned a famine, &c. there remained only ſixty of all ages and ſexes, at the expiration of ſix months. When Sir

1610. *Thomas Gates* the lieutenant-governor arrived in May, and ſaw the calamitous ſituation of affairs, he concluded on embarking the coloniſts and ſailing for England: but before he could proceed to ſea, Lord *Delaware* arrived with three ſhips, bringing abundant ſupplies, and carried back with him to James-town the feeble remains of the colony. He ſoon re-eſtabliſhed matters; but his health obliging him, he ſailed for England the beginning
1611. of the ſubſequent year, leaving about 200 coloniſts, poſſeſſed of health, plenty, and peace with their neighbours. After his departure they relapſed; but his ſucceſſor, Sir *Thomas Dale*, arriving in May with more emigrants, cattle, and proviſion for a year, things were again reſtored. This ſame year the adventurers obtained a new charter, by which the two former were confirmed, and they had alſo granted to them all the iſlands ſituated in the ocean, within 300 leagues of any part of the Virginia coaſt. The corporation was now conſiderably new modelled, and, in order to promote the effectual ſettlement of the plantation, licenſe was given to open *lotteries* in any part of England. The lotteries alone, which were the firſt ever granted in England, brought 29,000 l. into the company's treaſury. At length, being conſidered as a national evil, they attracted the notice of parliament, were preſented by the commons as a grievance, and in March, 1620, ſuſpended by an order of council.

Sir *Thomas Gates* was diſpatched with ſix large ſhips, carrying 300 coloniſts, 100 cattle, and uſeful ſupplies. He arrived in Auguſt: and parties were ſent out from James-town to form diſtant ſettlements. He returned
1614. the beginning of 1614, and the adminiſtration devolved

once

once more on Sir *Thomas Dale*, to whom the Virginians owe the introduction of landed property. In 1615, fifty 1615.
acres of land were granted to every emigrant and his heirs, and the ſame quantity to every perſon imported by others. Dale ſailed for England in the beginning of 1616, giving up the truſt to Sir *George Yeardley*, as 1616.
deputy governor, and in this year the cultivation of tobacco was introduced. It was originally carried from Tobago to England. Mr. *Argal*, a new deputy, arrived in May, 1617. He publiſhed a variety of edicts, and 1617.
was guilty of thoſe wrongs and oppreſſions, that the treaſurer and council appointed *Yeardley* captain-general, and empowered him to examine into and redreſs grievances. Sir George arrived April, 1619, bringing with 1619.
him ſeveral inſtructions favorable to freedom, and ſoon declared his intention of calling a general aſſembly, which gave the greateſt joy to men, who had been hitherto ſubjected to the arbitrary orders of their prince, to the intereſted ordinances of an Engliſh corporation, or to the edicts of a haughty governor; and who enjoyed none of thoſe liberties which Engliſhmen claim as their birth-right.

In June, Yeardley, purſuant to his inſtructions from the company, iſſued writs for the election of delegates, called burgeſſes. The colony had been divided into ſeven hundreds or diſtinct ſettlements, which ſeemed to enjoy ſome of the privileges of boroughs; and from this circumſtance the democratic branch of the aſſembly has been called to this day the houſe of burgeſſes, though compoſed almoſt entirely of the repreſentatives of counties. The aſſembly, formed of the governor and council of ſtate, who were appointed by the treaſurer and com-

pany, and of the burgeſſes choſen by the people, met together in one apartment, and tranſacted affairs like the parliament of Scotland of old, which mode continued till after the reſtoration of Charles II. Thus convened, and thus compoſed, the legiſlature "debated all matters thought expedient for the good of the whole." The laws were tranſmitted to England, for the approbation of the treaſurer and company, without whoſe confirmation they were of no validity. The introduction of an aſſembly was attended with the happieſt effects. The emigrants, for the firſt time, reſolved to ſettle themſelves, and to perpetuate the plantation. The aſſembly thanked the company for their favor, and begged them "to reduce into a compendious form, with his majeſty's approbation, the laws of England proper for Virginia, with ſuitable additions;" giving as a reaſon, "that it was not fit that his ſubjects ſhould be governed by any other rules, than ſuch as received their influence from him." This year the treaſurer and council received a letter "commanding them to ſend a hundred diſſolute perſons (convicts) to Virginia." They were accordingly tranſported; "and were at that period very acceptable to the coloniſts," though the unlimited practice of emptying the Engliſh jails on the American continent has of late years been complained of as a nuiſance.

1620. The ſubſequent year muſt, on account of the introduction of *African ſlaves* into the colonies, be ſtigmatized as a much viler æra. The Hollanders were not then precluded by any law from trading with the colonies. A Dutch veſſel carried to Virginia a cargo of negroes, and the Virginians, who had themſelves juſt emerged from a ſtate of ſlavery, became chargeable with

with reducing their fellow-men to the condition of brutes.

In July, the treaſurer and company carried into exe- 1621.
cution a reſolution formerly taken, for eſtabliſhing a proper conſtitution for the colony. The ordinance they paſſed, declared, that there ſhould be two ſupreme councils in Virginia, the one to be called the council of ſtate, to be appointed and diſplaced by the treaſurer and company, and which was to adviſe the governor in governmental affairs; the other was to be denominated the general aſſembly, and to conſiſt of the governor and council, and of two burgeſſes, to be choſen, for the preſent, by the inhabitants of every town, hundred, and ſettlement in the colony. The aſſembly was to determine by the majority of the voices then preſent, and to enact general laws for the colony, reſerving to the governor a negative voice. They were to imitate the laws and cuſtoms, and judicial proceedings uſed in England. "No acts were to be in force till confirmed by the general court in England: on the other hand, no order of the general court was to bind the colony, till aſſented to by the aſſembly." The company having offered territory to thoſe who ſhould either emigrate themſelves, or engage to tranſport people to the colony, found this policy ſo ſucceſsful, that upward of 3500 perſons emigrated to Virginia during this and the two preceding years.

This year was remarkable for a maſſacre of the colo- 1622.
niſts by the *Indians*, which was executed with the utmoſt ſubtilty, and without any regard to age, ſex, or dignity. A well concerted attack on all the ſettlements, deſtroyed, in one hour, and almoſt at the ſame inſtant, 347 perſons, who were defenceleſs and incapable of making reſiſtance.

reſiſtance. The emigrants, notwithſtanding the orders they had received, had never been ſolicitous to cultivate the good-will of the natives, and had neither aſked permiſſion when they occupied their country, nor given a price for their valuable property, which was violently taken away. The miſeries of famine were ſoon ſuperadded to the horrors of maſſacre. Of eighty plantations, which were filling apace, only eight remained; and of the numbers which had been tranſported thither, no more than about 1800 ſurvived thoſe manifold diſaſters.

Frequent complaints having been made to king James of the oppreſſions of the treaſurer and company, and the before-mentioned calamities being attributed to their miſconduct or neglect, it was determined that a commiſſion ſhould iſſue to inquire into the affairs of Virginia and the Somer-iſles, from the earlieſt ſettlement of each. Upon the report of the commiſſioners, the king concluded on giving a new charter, and required of the company the ſurrender of former grants, which being refuſed, a writ of *quo-warranto* iſſued in
1623. November, againſt the patents of the corporation: and judgment was given by the court of King's-bench againſt
1624. the treaſurer and company, in Trinity-term, 1624. Theſe proceedings "were ſo conformable to the general ſtrain of the arbitrary adminiſtration of that reign, that they made little impreſſion at the time, though the Virginia company was compoſed of perſons of the firſt quality, wealth, and conſequence in the nation." The company probably would not have exerciſed ſo tame and ſubmiſſive a ſpirit, had they not been wholly diſappointed in their viſionary proſpects, and met with conſiderable loſſes, inſtead of acquiring enormous profits. They had

had obtained from individuals, who ſported in their lotteries from the hope of ſudden riches, £. 29,000: but the tranſportation of more than 9000 Engliſh ſubjects had coſt them £. 150,000. They did not however abandon the colony in its diſtreſs, while they continued a corporation. Timely ſupplies were ſent from England to the Virginia ſettlers, which ſo animated them, that they carried on an offenſive war againſt the Indians, purſued them into their faſtneſſes, and drove them from the neighbourhood of thoſe rivers, where they had fixed their own plantations.

As to king *James*, he "aſſuredly conſidered the colonies as acquired by conqueſt; and that they ought to be holden of his perſon, independent of his crown or political capacity; and might be ruled according to his good will, by prerogative: and he endeavoured, agreeable to the ſtrange œconomy of his reign, to convert them into a mere private eſtate, deſcendable to his perſonal heirs *."

The Virginia company being diſſolved, James took the colony under his immediate dependence, which occaſioned much confuſion. Upon his death king *Charles*, 1625. being of the ſame judgment with his father as to the government of Virginia, determined to tread in the ſame ſteps. In May he named a new governor and council for Virginia, and inveſted them with an authority fully legiſlative and arbitrary. They were empowered to make and execute laws, to impoſe taxes, and enforce payment. Neither the commiſſion nor inſtructions mentioned expreſsly, or even alluded to an

* See Chalmers's Political Annals under the head of Virginia, for many of the preceding and ſubſequent articles reſpecting that colony.

aſſembly,

aſſembly, to the laws of England, or to the acts of the provincial legiſlature, as a rule of government. They were required to tranſport coloniſts into England, to be puniſhed there for crimes committed in Virginia. This ſyſtem increaſed the colonial diſſatisfaction, which continued for years, till the Virginians received a letter containing the royal aſſurance, that "all their eſtates, trade, freedom, and privileges, ſhould be enjoyed by them in as extenſive a manner, as they enjoyed them before the recalling of the company's patent." On this they were reconciled, and began again to exert themſelves in making improvements *.

Being left for ſome years in a manner to themſelves, they increaſed beyond expectation. They remained under the adminiſtration of their late governors, and other officers, who reſpected their privileges becauſe they loved the colony. The governor, whom Charles had been anxious to appoint, had no opportunity of exerciſing thoſe illegal and extraordinary powers with
1627. which he had been inveſted. His death in 1627 put an end to his authority, and prevented the colony's feeling its full extent. His ſucceſſor *John Harvey*, eſq;
1629. was nominated in March 1629; and his commiſſion and inſtructions were preciſely the ſame with thoſe of the former. He departed ſoon after for Virginia. The ſpirit of his adminiſtration was an exact counterpart of what had too long prevailed in England. He was ſevere in his extortions, proud in his councils, unjuſt and arbitrary in every department of his government. The *Virginians*, rouſed almoſt to madneſs by oppreſſion, ſeized and ſent him priſoner to England, accompanied with

* Bland's Inquiry into the rights of the Britiſh colonies.

two

two deputies, to repreſent their grievances and his miſconduct. His behaviour was ſo thought of, that he was honored with a new commiſſion which confirmed former powers, and he was ſent back to Virginia in April 1637. After that, his government was ſo exceſ- 1637.
ſively oppreſſive and cruel, that the complaints of the coloniſts became at length too loud to be longer neglected, and his commiſſion was revoked in Jan. 1638-9. 1639.
During his ten years adminiſtration, the Virginians were ruled rather as the vaſſals of an eaſtern deſpot, than as ſubjects entitled to Engliſh liberties; but it is to their credit, that, having taſted the ſweets of a ſimple government, they oppoſed with a firm ſpirit, during the reign of Charles, the attempts of thoſe who endeavoured to revive the patents, and to reſtore the corporation.

Sir *William Berkely* was appointed governor the be- 1639.
ginning of 1639. His inſtructions evidenced a prodigious change in colonial policy, which muſt be partly aſcribed to the then ſtate of affairs in England. He was directed to ſummon all the burgeſſes of the plantations, who with the governor and council were to conſtitute the grand aſſembly, with power to make acts for the government of the colony, as near as might be to the laws of England—to cauſe ſpeedy juſtice to be adminiſtred to all, according to Engliſh forms—and to forbid all trade with foreign veſſels except upon neceſſity. Thus were the Virginians reſtored to that ſyſtem of freedom, which they had derived from the Virginia company, and which the writ of *quo warranto* had involved in the ſame ruin with the corporation itſelf.

Civil diſſenſions however took place, which were imbittered by religious differences, and inflamed by acts made

made to prohibit the preaching of the doctrines of the puritans. The diſcontented party preſented a petition to the houſe of commons, in the name of the aſſembly, "praying for the reſtoration of the ancient patents and corporation government." But the governor, council, and burgeſſes, no ſooner heard of the tranſaction, than they tranſmitted an explicit diſavowal of it. They ſent alſo an addreſs to king *Charles*, acknowledging his bounty and favor toward them, and earneſtly deſiring
1642. to continue under his immediate protection. In 1642 they declared in the form of an act, "that they were born under monarchy, and would never degenerate from the condition of their births, by being ſubject to any other government." Nothing could be more acceptable than this act, which being preſented to the king at *York*, drew from him an anſwer, in which he gave them the fulleſt aſſurances, that they ſhould be always immediately dependent upon the crown, and that the form of government ſhould never be changed.

They remained unalterably attached to the cauſe of their ſovereign. But when the Commons of England had triumphed over their European opponents, their attention was turned to the plantations; and an ordinance was paſſed
1650. in October 1650, "for prohibiting trade with *Barbadoes*, *Virginia*, *Bermuda*, and *Antego*." It recited, that "in Virginia, and other places in America, there are colonies, which were planted at the coſt, and ſettled by the people, and by the authority of this nation, which ought to be ſubordinate to, and dependent upon England—that they ever have been, and ought to be, ſubject to ſuch laws and regulations as are, or ſhall be made by the parliament—that divers acts of rebellion have been committed

committed by many perſons inhabiting Virginia, whereby they have ſet up themſelves in oppoſition to this commonwealth." It therefore declared them "notorious robbers and traitors." Perſons in power generally reaſon alike againſt thoſe who oppoſe their authority, and diſpute the legality or equity of their meaſures, whatever might be their own ſentiments when in a lower ſtation, and while aggrieved by ſuperiors. The ordinance authorized the council of ſtate to ſend a fleet thither, and to grant commiſſions to proper perſons to enforce to obedience all ſuch as ſtood oppoſed to the authority of parliament. In conſequence hereof commiſſioners were appointed, and a powerful fleet and army detached, to reduce all their enemies to ſubmiſſion. They were to uſe their endeavours, by granting pardons and by other peaceful arts, to induce the coloniſts to obey the ſtate of England: but, if theſe means ſhould prove ineffectual, then they were to employ every act of hoſtility; to free thoſe ſervants and ſlaves of maſters oppoſing the government, that would ſerve as ſoldiers to ſubdue them; and to cauſe the acts of parliament to be executed, and juſtice to be adminiſtered, in the name of the commonwealth. After the arrival of the commiſſioners with the naval and military force, the Virginians refuſed to ſubmit, till articles of ſurrender had been agreed upon, by which it was ſtipulated, "The plantation of Virginia, and all the inhabitants thereof, ſhall enjoy ſuch freedoms and privileges as belong to the free people of England. The general aſſembly, as formerly, ſhall convene, and tranſact the affairs of the colony. The people of Virginia ſhall have a free trade, as the people of England, to all places, and with all nations. Virginia

ginia ſhall be free from all taxes, cuſtoms, and impoſitions whatſoever; and none ſhall be impoſed on them without conſent of the general aſſembly; and neither forts nor caſtles ſhall be erected, nor garriſons maintained without their conſent *."

The hardſhips the *Virginians* experienced from reſtrictions on their trade under *Oliver Cromwell*, together with their attachment to the royal family, induced them to ſeize the occaſion of the death of the protector's governor, for applying to Sir *William Berkely*, who had lived privately during the revolutions of the day, to reſume the government of the colony, to which he conſented, on their ſolemnly promiſing to venture their lives and fortunes with him for Charles II. Before they had heard of the death of Cromwell, *Charles* was proclaimed by them king of England, Scotland, Ireland, and Virginia. During the diſtreſſes to which the royaliſts were expoſed in England prior to this event, they reſorted to that colony, ſo that Virginia contained about 30,000 perſons at the reſtoration. Sir William Berkely, in his anſwer to the inquiries of the lords of the committee
1671. of the colonies writes, June 20, 1671, "there are 40,000 perſons, men, women, and children, 2000 black ſlaves, and 6000 chriſtian ſervants for a ſhort time." You will not have your good opinion of him heightened for his adding—"I thank God there are no free ſchools, nor printing, and I hope we ſhall not have them theſe hundred years. For learning has brought diſobedience, and hereſy, and ſects into the world, and printing has

* Bland's Inquiry into the rights of the Britiſh colonies.

divulged

divulged them and libels againſt the beſt government. God keep us from both * !"

You will remark, that, however zealous the Virginians were to honor the Charles's with their loyalty, they boldly declined complimenting king, commonwealth, and protector, with their liberties.

Maryland comes now to be conſidered.

Sir *George Calvert* was one of the original aſſociates in the great Virginia company, and continued a member of that corporation during its exiſtence: and, as ſecretary of ſtate, he acted as one of the committee of council for the affairs of the plantations while James I. lived. Sir George, in his reign, having thought proper to alter his religious ſentiments and embrace popery, ingenuouſly avowed the change. The king pleaſed with his ſincerity, granted him a part of *Newfoundland*, which the French at length obliged him to abandon. His majeſty further teſtified his regard, by creating him lord Baltimore of Ireland. King *Charles*, to compenſate for his loſs of the Newfoundland territory, gave him a grant of the country on the north ſide of the *Cheſapeak-bay*.

His lordſhip died April 15, 1632, before the patent 1632.
was made out; on which his ſon Cecil took it out in his own name the June following. Charles, in honor to his royal conſort Henrietta Maria, named the colony Maryland; and, being deſirous of gratifying the proprietary all in his power, inveſted him with as much ſovereignty as could well conſiſt with an immediate ſubjection to the crown of England. His lordſhip, with the aſſent of the freemen or their delegates, whom he

* Chalmers's Political Annals, under Virginia.

was required to aſſemble for that purpoſe, might make laws of what kind ſoever for the province, ſo that they were not repugnant, but agreeable to the juriſprudence and rights of the realm of England; and he was authorized to execute the acts of the aſſembly. There was no clauſe in the charter obliging him to tranſmit their acts to the king for approbation or diſſent: nor any ſaving of the royal interference in the government of the colony. Charles reſerved to himſelf, and his heirs for ever, impoſts, duties, and cuſtoms, which the coloniſts were bound to pay; but declared in the ſame charter, "We, our heirs and ſucceſſors, ſhall at no time ſet and make, or cauſe to be ſet, any impoſition, cuſtom, or taxation, on the inhabitants of the province, for their lands, goods, tenements, or chattels, within the ſaid province." By this clauſe the king covenanted for himſelf, heirs, and ſucceſſors, that, having reſerved for ever the impoſts, duties, and cuſtoms, he would not contribute toward ſetting upon the inhabitants any impoſition, cuſtom, or taxation, for their lands, goods, tenements, or chattels, within the ſaid province; and therein bound both himſelf and them, not to aſſent to any bill ſubjecting the inhabitants to an internal taxation by an external legiſlation.

The firſt emigration conſiſted of two hundred gentlemen of conſiderable fortune and rank, with their adherents, chiefly Roman Catholicks, who hoped to enjoy liberty of conſcience, under a proprietary of their own profeſſion. They ſailed from England in November,
1633. and landed in Maryland the beginning of 1633. Governor *Calvert*, brother to lord Baltimore, very wiſely and juſtly purchaſed, by preſents of various goods, the rights of the Indians, and with their free conſent took

poſſeſſion

poſſeſſion of their town, which he called St. Mary's. The country was ſettled with ſo much eaſe, and furniſhed with ſo many conveniences, that emigrants repaired thither in ſuch numbers, that the colony ſoon became populous and flouriſhing. A third aſſembly of freemen was held at St. John's in February 1638-9, when an act was paſſed, "for eſtabliſhing the houſe of aſſembly." It enacted, that thoſe who ſhall be elected purſuant to writs iſſued, ſhall be called burgeſſes, and ſhall ſupply the place of the freemen who choſe them—that the gentlemen ſummoned by the ſpecial writ of the proprietary, and thoſe freemen who ſhall not have voted at any of the elections, together with the governor and ſecretary, ſhall be called "the houſe of aſſembly"—that all acts aſſented to by that body, ſhall be deemed of the ſame force, as if the proprietary and freemen had been perſonally preſent. Slavery ſeems to have gained an early eſtabliſhment in Maryland, for an act of this aſſembly deſcribes "the people" to conſiſt of all chriſtian inhabitants, "ſlaves only excepted." The perſecuting laws which were paſſed by the Virginians, ſoon after this period, againſt the puritans, made the latter emigrate in conſiderable numbers to Maryland, that they might enjoy, under a popiſh proprietary, that liberty of conſcience of which they were deprived by fellow proteſtants. 1639.

In 1642 the burgeſſes "deſired that they might be ſeparated, and ſit by themſelves, and have a negative"—ſuch was their progreſs in entertaining juſt conceptions of their own democratic rights. The governor did not grant their requeſt; but they were afterward more ſucceſsful. The aſſembly of 1649 was aſſuredly divided 1642. 1649.

into two parts, and tranſacted buſineſs in the form of an upper and lower houſe. That aſſembly which convened in April enacted, that no perſons profeſſing to believe in Jeſus Chriſt ſhall be moleſted in reſpect of their religion, or in the exerciſe thereof, or be compelled to the belief or exerciſe of any other religion againſt their conſent, ſo that they be not unfaithful to the proprietary, or conſpire againſt the civil government—that thoſe reproaching any with opprobrious names of religious diſtinction, ſhall forfeit ten ſhillings to the perſons injured—that any one ſpeaking reproachfully againſt the bleſſed Virgin, or the apoſtles, ſhall forfeit five pounds—but blaſphemy againſt God ſhall be puniſhed with death.

1650. In 1650 a law was paſſed "for ſettling this preſent aſſembly." It enacted, that thoſe who were called by ſpecial writ ſhall form the upper houſe—that thoſe who were choſen by the hundreds ſhall compoſe the lower houſe—and that all bills which ſhall be aſſented to by the two branches of the legiſlature thus eſtabliſhed, and aſſented to by the governor, ſhall be deemed the laws of the province, and have the ſame effect as if the freemen were perſonally preſent. There was alſo paſſed "an act againſt raiſing money without the conſent of the aſſembly." It mentioned, "That no taxes ſhall be aſſeſſed or levied on the freemen of the province without their own conſent, or that of their deputies, firſt declared in a general aſſembly." The printed words and early date of this Maryland act demand particular notice. The acts of the general aſſembly and governor were of the ſame force in their own province, as acts of parliament in England; and could not be repealed without

out the concurring aſſent of the proprietary, or his deputy, with the other two eſtates.

Carolina follows Maryland in the order of exiſtence.

A few adventurers emigrated from the Maſſachuſetts, and ſettled round *Cape Fear*, about the time of the reſtoration. They conſidered mere occupancy, with a transfer from the natives, without any grant from the king, as a good title to the lands which they poſſeſſed. They deemed themſelves entitled to the ſame "civil privileges" as thoſe of the country whence they had emigrated. For years they experienced the complicated miſeries of want. They ſolicited the aid of their countrymen: and the general court, with an attention and humanity which did it the greateſt honor, ordered an extenſive contribution for their relief. But the final ſettlement of the province was effected equally through the rapacity of the courtiers of Charles II. and his own facility in rewarding thoſe, to whom he was greatly indebted, with a liberality that coſt him little. The pretence, which had been uſed on former occaſions, of a pious zeal for the propagation of the goſpel among the Indians, was ſucceſsfully employed to procure a grant of the immenſe region, lying between the 36° of north latitude, and the river St. Matheo under the 31°. March 24, 1663, this territory was erected into a pro- 1663.
vince by the name of *Carolina*; and conferred on Lord *Clarendon*, the Duke of *Albemarle*, Lord *Craven*, Lord *Berkeley*, Lord *Aſhley*, Sir *George Carteret*, Sir *John Colleton*, and Sir *William Berkeley*, as abſolute lords proprietaries for ever, ſaving the ſovereign allegiance due to the crown. The charter ſeems to have been copied from that of Maryland, ſo extenſive in its powers, and ſo

noble in its privileges. The noblemen held their firſt meeting in May; and, at the deſire of the New England people above-mentioned, publiſhed propoſals to all that would plant in Carolina. They declared, that all perſons ſettling on Charles-river, to the ſouthward of Cape Fear, ſhould have power to fortify its banks, taking the oath of allegiance to the king, and ſubmitting to the government of the proprietaries—that the emigrants might preſent to them thirteen perſons, in order that they might appoint a governor and a council of ſix for three years—that an aſſembly, compoſed of the governor, the council, and delegates of the freemen, ſhould be called as ſoon as circumſtances would allow, with power to make laws, not contrary to thoſe of England, nor of any validity after the publication of the diſſent of the proprietaries—that every one ſhould enjoy the moſt perfect freedom in religion—that during five years, every freeman ſhould be allowed one hundred acres of land, and fifty for every ſervant, paying only an half-penny an acre—and that the ſame freedom from cuſtoms, which had been confirmed by the royal charter, ſhould be allowed to every one.

The proprietaries appointed Sir *William Berkeley*, then governor of Virginia, general ſuperintendent of the affairs of the county of Albemarle, within the boundaries of which, a ſmall plantation, of the New Englanders probably, had been eſtabliſhed for ſome years, on the north eaſtern ſhores of the river Chowan. Sir William Berkeley repaired to the county, confirmed and granted lands on the conditions before-mentioned, appointed Mr. Drummond the firſt governor, and likewiſe other officers, and then returned to Virginia.

The

The assembly of 1666, being dissatisfied with the tenures by which they held their lands, petitioned the proprietaries, that the people of Albemarle might hold their possessions on the same terms on which the Virginians enjoyed theirs, and were gratified.

The proprietaries appointed *John Yeamans*, a respectable planter of Barbadoes, commander in chief of Clarendon county, stretching from Cape Fear to the river St. Matheo; and he was at the same time created a baronet. To secure its prosperity, the same powers were conferred, and the same constitution established, as those which had made Albemarle happy. 1665.

A settlement was also now projected to the southward of Cape Romain, which acquired the name of Carteret. Thus a variety of separate and independent colonies, each of which had its own government, its own assembly, its own customs and laws, were established in Carolina.

In June the proprietaries obtained a second charter, which recited and confirmed the former. They were enabled to make laws for the province, with the consent of the freemen or their delegates: and likewise to grant titles of honor by the creation of a nobility. No one prerogative of the crown was reserved, except the sovereign dominion. 1665.

Samuel Stevens esq; was appointed governor of Albemarle in October, and was commanded to act agreeable to the advice of a council of twelve, the one half of which he was to appoint, the other was to be chosen by the assembly. The assembly was to be composed of the governor, the council, and twelve delegates chosen annually by the freeholders. Various regulations provided for the security of property; and no taxes 1667.

were to be impoſed without the conſent of the aſſembly. The proprietaries might mean no more, than that neither they, nor the governor and council, ſhould impoſe taxes without the conſent of the aſſembly: but the mode of expreſſion tended to confirm the people at large in the opinion of their being exempted from all taxes which had not the conſent of their own aſſembly. The ſettlers had their lands confirmed, and granted to be now held by the free tenure of ſoccage, expreſſing a certain rent and independence. All men were declared entitled to equal privileges, on taking the oath of allegiance to the king, and of fidelity to the proprietaries.

1669. It was not till 1669 that an aſſembly conſtituted as above-mentioned was convened: when it was enacted—"none ſhall be ſued, during five years, for any cauſe of action ariſing out of the country—and none ſhall accept a power of attorney, to receive debts contracted abroad." Hence this colony was long conſidered as the refuge of the criminal, and the aſylum of the fugitive debtor.

The proprietaries, at length diſſatisfied with every ſyſtem which they had hitherto deviſed for the government of their province, ſigned, in July, a body of *fundamental conſtitutions* compiled by the celebrated *Locke*, giving as a reaſon, "That we may eſtabliſh a government agreeable to the monarchy of which Carolina is a part, and may avoid making too numerous a democracy."

By this edict a palatine was to be choſen from among the proprietaries for life; who was to act as preſident of the palatine court, compoſed of the whole; which was intruſted with the execution of the powers of the charter. A body of hereditary nobility was created, and denominated

denominated landgraves and caciques; the former were to be inveſted with four baronies, each conſiſting of 12,000 acres; the latter to have two, containing one half of that quantity: and theſe eſtates were to deſcend with the dignities inſeparably. There were to be as many landgraves as counties; and twice as many caciques, but no more. Two fifths of the counties, ſtyled ſignories and baronies, were to be poſſeſſed by the nobility; the other three fifths, called the colonies, were to be left among the people.

The provincial legiſlature, dignified with the name of parliament, was to be biennial, and to conſiſt of the proprietaries, alias landgraves, or the deputy of each, of the cacique nobility, of the repreſentatives of the freeholders of every diſtrict, who were to meet in one apartment, and every member to enjoy an equal vote: but no buſineſs was to be propoſed till it had been debated in the grand council, whoſe duty it was to prepare bills for the parliamentary conſideration. The grand council was to be compoſed of the governor, the nobility, and the deputies of the proprietaries, theſe being abſent; and was inveſted with the executive of the province. The church of England alone was to be allowed a public maintenance by parliament; but every congregation might tax its own members for the ſupport of its own miniſters; and to every one was allowed perfect freedom in religion. However the moſt degrading ſlavery was introduced, by inveſting in every man the property of his negro *.

Theſe conſtitutions, conſiſting of 120 articles, and containing a great variety of perplexing regulations,

* Locke's Works, Vol. IV. p. 519, &c. 1779.

were

were declared to be the ſacred and unalterable rule of government in Carolina for ever: and yet they were never altogether adopted. The parties engaged in this act of legiſlation ſhould have reflected, that the inhabitants had ſettled on conditions, which it was no longer in their power to abrogate; and that, in the forms of government which had been actually eſtabliſhed, the people had acquired an intereſt which could not be taken away without their conſent.

1670. A number of emigrants were ſent in January, under *William Sayle*, Eſq; appointed governor of that part of the coaſt which lies ſouth-weſtward of Cape Carteret, to form a colony at Port-Royal. They arrived ſafe: and as it was found impracticable to conform to the conſtitutions, it was determined to keep as cloſe to them as poſſible. Sayle dying, Sir *John Yeamans* had his command ex-

1671. tended to and over this colony, in Auguſt, 1671. This year, planters reſorted from Clarendon on the north, and Port-Royal on the ſouth, to the banks of Aſhley-river, for the convenience of paſture and tillage; and laid on the firſt high land the foundation of old Charles-Town. The proprietaries promulgated temporary laws, till through a ſufficient number of inhabitants, government could be adminiſtered according to the fundamental conſtitutions. The temporary laws were of no long duration, being derided by a people without whoſe conſent they had been eſtabliſhed.

1674. In May, *Joſeph Weſt* eſq; was appointed governor of the ſouthern colony, in the room of Sir John Yeamans, with whoſe conduct the proprietaries were diſſatisfied. But the difficulty of eſtabliſhing the colony was not overcome for years; not till people repaired to it at their

their own expence, and men of eſtate ventured thither under the full perſuaſion of being fairly treated. In expectation of ſuch treatment, the diſſenters, being haraſſed by perſecutions in England, and dreading a popiſh ſucceſſor, emigrated to Carolina in great numbers, and made a conſiderable part of the inhabitants. They acquired the honor of introducing religion into the province, while they ſtrengthened it alſo by their perſonal acceſſions. But the promiſing appearances of the country inviting over many of a very different ſtamp, after a while diſturbances followed.

The planters being informed, that the *Oyſter-point*, ſo delightfully formed by the confluence of the rivers Aſhley and Cooper, was more convenient than what was fixed upon eight years before, and the proprietaries encouraging their inclination, they began to remove, and in the ſubſequent year laid the foundation of the 1680.
preſent Charles-town, and built thirty houſes. It was inſtantly declared the *port* for the purpoſes of traffic, and the *capital* for the adminiſtration of government. It was long unhealthy; but the adjacent country being now cleared and cultivated, it is allowed to enjoy the moſt ſalubrious air of Carolina.

Though the province had been formed into manors and baronies, it was not till 1682, that it was divided 1682.
into three counties. In the Autumn of this year, governor Weſt held a parliament; and afterward immediately reſigned his adminiſtration to Mr. Joſeph Moreton. Thence commenced a reiterated change of governors. Kyrle, Weſt, Quarry, Moreton, were ſucceſſively appointed. There was a ſimilar change of every public officer. Theſe changes produced turbulency and faction.

But

But prior to this period, an inſurrection broke out in
1677. the colony of Albemarle, in December, 1677. At the end of two year's ſucceſsful revolt, Culpeper, who was deeply concerned in the buſineſs, was diſpatched with another perſon to England with a promiſe of ſubmiſſion to the proprietaries, on certain conditions. When about to return, after executing his truſt, he was impeached by the commiſſioners of the cuſtoms, for acting as collector without their authority, and embezzling the king's revenue in Carolina. He was ſeized on board a veſſel
1680. in the Downs, brought back, and in Trinity-term, 1680, tried by virtue of the ſtatute of *Henry* VIII. on an indictment of high-treaſon committed without the realm. The famous Lord Shafteſbury, then in the zenith of his popularity, appeared on his behalf, and repreſented, contrary to the moſt undoubted facts, "That there never had been any regular government in Albemarle, that its diſorders were only feuds between the planters, which could only amount to a riot." On this *Culpeper* was acquitted. He is the firſt coloniſt who appears to have been regularly tried in the court of King's-bench upon that ſtatute *: but he was not tranſported from America in order to trial. His acquittal induced the proprietaries to reſolve upon governing, in future, according to the portion of obedience, which the inſurgents ſhould be diſpoſed to yield. They recommended, however, an healing diſpoſition. But the perſons bearing the chief ſway, being actuated too much by a vindictive ſpirit, proceeded againſt their opponents by impriſonment, fine, and baniſhment. The ſcenes of anarchy produced by theſe meaſures were not changed, nor the condition of

* Chalmers's Political Annals, B. I. p. 537, 538.

the colony mended by the arrival of governor *Seth Sothel*, in 1683, who was ſent in hope of quieting the diſorders by his authority, as he had purchaſed Lord Clarendon's ſhare of the province. He was guilty of that bribery, extortion, injuſtice, rapacity, breach of truſt, and diſobedience of orders, for five years, that the inhabitants, driven almoſt to deſpair, ſeized him with a view of ſending him to England to anſwer to their complaints: but upon his intreaties, and offering to ſubmit their mutual accuſations to the next aſſembly, they accepted his propoſal. The aſſembly gave judgment againſt him in all the above-mentioned particulars, and compelled him to abjure the country for twelve months, and the government for ever. 1683.

Charles-town having been made the provincial port, the firſt collector was eſtabliſhed there in 1685. The governor and council were at the ſame time ordered, "Not to fail to ſhow their forwardneſs in aſſiſting the collection of the duty on tobacco tranſported to other colonies, and in ſeizing ſhips that preſumed to trade contrary to the acts of navigation." Little regard was paid to orders ſo contrary to the views of every one. An illicit trade was not only practiſed, but juſtified under a clauſe of the patent, *which the people believed to be of ſuperior force to the law.* Though the royal grant of 1665 was paſſed ſubſequent to the act of navigation, the preſent exemption was inſiſted upon, with the ſame ſpirit that it was contended during this reign, that a king of England may diſpenſe with the law. The principle of the Carolinians, and the doctrine ſo faſhionable at the court of James, were therefore exactly the ſame. 1685.

James

1686. *James Colleton*, eſq; a proprietary, was appointed governor, in Auguſt. The next year he called an aſſembly, in which he and his party took upon them to paſs ſuch laws as loſt him the affections of the people. During the ferments that followed, Seth Sothel, whom we have ſeen baniſhed from Albemarle, ſuddenly arrived at Charles-town. Countenanced by a powerful party, and preſuming on his powers as a proprietary, he ſeized the
1690. reins of government in 1690, notwithſtanding the oppoſition of governor and council. A general return of members was procured, who readily ſanctified by their votes whatever was dictated by thoſe that had thus acquired power. Colleton, whoſe conduct had been far from blameleſs, was inſtantly impeached of high crimes and miſdemeanors, diſabled from holding any office, and baniſhed. Others were fined, impriſoned, and expelled the province. The proprietaries appointed
1692. a new governor; and the next year, upon the requiſitions of the Carolinians, abrogated Mr. Locke's ſyſtem of laws, *the fundamental conſtitutions*, which far from having anſwered their end, introduced only diſſatisfaction, and diſorders, that were not cured till the final diſſolution of the proprietary government *. The operation and fate of Mr. Locke's ſyſtem may convince us of this truth, that a perſon "may defend the principles of liberty and the rights of mankind, with great abilities and ſucceſs; and yet after all, when called upon to produce a plan of legiſlation, he may aſtoniſh the world with a ſignal abſurdity †."

* Moſt of what is ſaid upon Carolina is taken from Chalmers's Political Annals, under the head of that province.

† A Defence of the American Conſtitutions of Government, by John Adams, eſq; p. 365.

Governor

Governor *Archdale* arrived at Carolina in Auguſt. 1695.
He managed with great prudence, and ſucceeded ſo well that the aſſembly voted him an addreſs of thanks. He was ſucceeded by *Joſeph Blake* eſq; whoſe ſentiments were ſo liberal, that, though a diſſenter, he prevailed with the aſſembly to ſettle 150 l. *per annum* upon the epiſcopal miniſter of Charles-town for ever, and likewiſe to furniſh him with a good houſe, a glebe, and two ſervants. A very different ſpirit wrought in the earl of Bath, when he ſucceeded to the power of palatine, and became 1701.
eldeſt proprietary. Being a zealot for the church of England, he was ambitious of eſtabliſhing its worſhip, and of excluding non-epiſcopalians from a ſhare in the government of Carolina; a ſimilar principle was at that time too prevalent in England. His views were ſeconded by the pliableneſs of governor *Moor*, who was after a while ſucceeded by Sir *Nathaniel Johnſon*. Then the aſſembly being convened, a bill was brought in for the more effectual preſervation of the government, by requiring all perſons choſen members of the aſſembly, to conform to religious worſhip, and receive the ſacrament of the Lord's-ſupper, according to the uſage of the church of England. By this act, all diſſenters were diſqualified from ſitting in the aſſembly, though legally elected, and the candidate who had the greateſt number of voices, after the diſqualified diſſenter, was to be admitted. The paſſing of this act was unconſtitutional and oppreſſive. Another bill was paſſed for eſtabliſhing religious worſhip in the province, according to the church of England, and alſo for the erecting of churches, the maintenance of miniſters, and the building of convenient parſonages. Both theſe acts were afterward

ſigned and ſettled by John Lord Granville, then palatine, for himſelf and the other proprietors. In conſequence of the laſt act, many oppreſſions were committed by the government againſt the diſſenters; who labored under theſe and other grievances, till the matter at length was brought before the houſe of lords, who, having fully weighed the ſame, addreſſed the queen in favor of the Carolinians; and the laws complained of
1706. were declared null and void.

An Indian war having broken out in Carolina, and the proprietaries finding themſelves unable to maintain it againſt the Indians, while theſe were ſupported by the
1728. French and Spaniards, reſolved to ſurrender their charter to the crown. One-eighth of the province belonged to Lord Carteret. The proprietors of the other ſeven-eighths were to receive for their ceſſion 17,500 l. together with 5000 l. more, due to them from the province on account of outſtanding debts. The ſurrender and payment was confirmed by a Britiſh act of parliament, wherein was a clauſe, reſerving alway to John Lord Carteret, his heirs, executors, adminiſtrators, and aſſigns, all ſuch eſtate, right, and title to one-eighth part of the ſhare of the ſaid provinces or territories, and to one-eighth part of all arrears, as was his due. After paſſing the act, the Britiſh government applied itſelf in earneſt to encourage this colony, and *Robert Johnſon*, eſq; was appointed governor, and continued ſuch till he died in
1735. 1735; in which year Carolina was divided into two colonies, North and South, and each placed under a ſeparate governor *.

* The Modern Univerſal Hiſtory, Vol. XL. 1763.

Pennſylvania

Pennſylvania and the *Delaware Counties* next demand our attention. Mr. *William Penn*, one of the joint purchaſers of the weſtern part of the Jerſeys, having received the moſt exact information of the country to the weſtward of the Delaware, while engaged in the adminiſtration of the joint purchaſe, became deſirous of acquiring a ſeparate eſtate.

He preſented a petition to *Charles* II. in June, ſtating 1680.
not only his relationſhip to the late admiral; but that he was deprived of a debt due from the crown, when the exchequer was ſhut. He prayed for a grant of lands, lying to the northward of Maryland and weſtward of the Delaware; and added, that, by his intereſt, he ſhould be able to ſettle a province which might, in time, repay his claims. Having the proſpect of ſucceſs, he copied from the charter of Maryland the ſketch of a patent which in November was laid before the attorney-general for his opinion. Penn had the ſame object in view as Lord Baltimore had, the guarding againſt the exertions of prerogative, which experience had taught both were very inconvenient. The attorney-general declared the clauſe of exemption from taxation illegal: and chief juſtice North, being of the ſame opinion, and obſerving its tendency, added the ſaving of the authority of the Engliſh parliament, ſo that it was ſtipulated by the king, for himſelf and his ſucceſſors, "that no cuſtom or other contribution ſhall be laid on the inhabitants or their eſtates, unleſs by the conſent of the proprietary, or governor and aſſembly, or *by act of parliament in England*."

The next year the patent was granted, in conſideration 1681.
of "the merits of the father, and the good purpoſes of the ſon, in order to extend the Engliſh empire, and to

promote uſeful commodities." It was provided by fit clauſes, that the ſovereignty of the king ſhould be preſerved; and that acts of parliament, concerning trade and navigation and the cuſtoms, be duly obſerved. Penn was empowered to aſſemble the freemen, or their delegates, in ſuch form as he ſhould think proper, for raiſing money for the uſes of the colony, and for making uſeful laws, not contrary to thoſe of England, or the rights of the kingdom. A duplicate of the acts of the aſſembly was to be tranſmitted within five years to the king in council, and the acts might be declared void within ſix months, if not approved.

The novel introduction of the clauſe ſubjecting the inhabitants of Pennſylvania to taxation by act of parliament, might afford an argument againſt being ſo taxed, to all the colonies whoſe charters contained no ſuch clauſe. Dr. Franklin being aſked, when examined by the houſe of commons, in the time of the ſtamp act, "Seeing there is in the Pennſylvania charter, an expreſs reſervation of the right of parliament to lay taxes there, how could the aſſembly aſſert, that laying a tax on them by the ſtamp act was an infringement of their rights?" anſwered, "They underſtand it thus—By the ſame charter and otherwiſe they are entitled to all the privileges and liberties of Engliſhmen. They find in the great charters and the petition and declaration of rights, that one of the privileges of Engliſh ſubjects is, that they are not to be taxed, but by their own conſent: they have therefore relied upon it, from the firſt ſettlement, that the parliament never would or could, by colour of that clauſe, tax them till it had qualified itſelf for the exerciſe of ſuch right, by admitting repreſentatives

tives from the people to be taxed." You will recollect governor Nicholſon's writing in 1698, "a great many people in all the colonies, eſpecially in thoſe under proprietaries, think that no law of England ought to be binding to them without their own conſent; for they fooliſhly ſay, they have no repreſentatives ſent from themſelves to the parliament of England." [p. 43.]

The Pennſylvanians, it may be noted, were not declared by the patent to be Engliſh ſubjects. There was no expreſs ſtipulation, as had been inſerted in all other colonial patents, "that the Pennſylvanians and their deſcendants ſhould be conſidered as ſubjects born within the realm;" for the lawyers who reviſed it, conſidered ſuch declarations as nugatory, ſince they were inferred by law *. If the right of the Engliſh parliament to tax the colonies could alſo have been inferred by law, why was not the expreſs reſervation of that right conſidered likewiſe as nugatory?

In May, Penn detached Mr. Markham, his kinſman, with a ſmall emigration, in order to take poſſeſſion of the country, and prepare it for a more numerous colony. Care was taken to order an humane attention to the rights of the Indians.

The frame of government for Pennſylvania was pub- 1682.
liſhed in April. It was forced from the proprietary by friends, who would not have ſettled his country, unleſs gratified in whatever they demanded. It underwent a ſimilar fate with the conſtitutions of Locke; and after a variety of alterations, was at length wholly laid aſide, and a ſimpler form eſtabliſhed. As a ſupplement to the frame, there was publiſhed, in the ſubſequent May, a

* Chalmers's Political Annals, under the head of Pennſylvania.

body of laws agreed upon in England by the adventurers, which was intended as a great charter; and does honor to their wiſdom as ſtateſmen, to their morals as men, and to their ſpirit as coloniſts.

Mr. *Penn* deſirous of carrying his region ſouthward to the Cheſapeak, was continually ſoliciting the duke of York, for a grant of the *Delaware colony*. The prince at length wearied out, conveyed in Auguſt the town of Newcaſtle, with a territory of twelve miles round; as alſo that tract of land extending ſouthward from it upon the Delaware to Cape Henlopen. It was known to both parties, that the title of what was now granted was extremely exceptionable, as the duke could transfer no other right than mere occupancy in oppoſition to the legal claim of Lord Baltimore. Penn, however, who was intent on his own intereſt in thoſe parts, immediately aſſumed the powers of juriſdiction.

When, for the firſt time, he arrived on the banks of the Delaware, October the 24th, he found them inhabited by 3,000 perſons, compoſed of Swedes, Dutch, Finlanders, and Engliſh. Not only his own coloniſts, but the reſt, received him with joy and reſpect. He was accompanied thither by about 2000 emigrants, who being either quakers or other diſſenters, wiſhed to enjoy their peculiarities and religion, in a country that offered a peaceful aſylum to the perſecuted. Mr. Penn immediately entered into a treaty with the Indians, and, agreeable to the biſhop of London's counſel, purchaſed from them as much of the ſoil as the circumſtances of the colony required, for a price that gave them ſatisfaction: he alſo ſettled with them a very kind correſpondence. In December, he convened the firſt aſſembly

at

at Cheſter, conſiſting of ſeventy-two delegates from the ſix counties, into which they had divided Pennſylvania and the Delaware colony, ſoon after denominated the *territories*. The inhabitants propoſed that the deputies might ſerve both for the provincial council and general aſſembly; three out of every county for the former, and nine for the latter. Their propoſals were paſſed by the aſſembly without heſitation into an act of ſettlement. The perſons returned were declared to be the legal council and aſſembly, and every county was empowered to ſend the ſame number in future, which in the ſame manner ſhould conſtitute the legiſlature; and after the addition of a few other explanations, the modified frame of government was ſolemnly recogniſed and accepted. Then an act was paſſed, annexing the territories to the province, and communicating to the one the ſame privileges, government, and laws, as the other already enjoyed. Every foreigner who promiſed allegiance to the king, and obedience to the proprietary, was at the ſame time declared to be a freeman, and entitled to his rights. By the legiſlative regulations, eſtabliſhed as fundamentals by this aſſembly, factors who wronged their employers were to make ſatisfaction and one-third over—not only the goods, but the lands of the debtor were ſubjected to the payment of debts—every thing which excited the people to rudeneſs, cruelty, and irreligion, was to be diſcouraged and ſeverely puniſhed—no perſon acknowledging one God, and living peaceably in ſociety, was to be moleſted for his opinions or practice, or to be compelled to frequent or maintain any miniſtry whatſoever. It was a principle of the great charter, "that children ſhall be taught ſome uſeful

trade, to the end that none may be idle, but the poor may work to live, and the rich, if they become poor, may not want."

Penn, diſſatisfied with the act of ſettlement, without difficulty created a ſecond frame, agreeing partly with the firſt, modified according to the act of ſettlement in certain particulars, and in ſome meaſure eſſentially different from both: to which he procured the aſſent of the next aſſembly, in 1683; but which in time ſhared the fate of the former.

1684. He departed for England. The moſt violent diſſenſions followed almoſt inſtantly upon it, the provincial council and the aſſembly contending eagerly with regard to their mutual privileges and powers. Tranquility was not reſtored by the deputy governor Blackwell, who entered upon his government in December 1688.

1685. Toward the cloſe of this year Mr. Penn obtained a new grant of the Delaware colony, which he had been ſoliciting for ſome time.

1688. The Pennſylvanians and their rulers, when Blackwell entered upon his adminiſtration, were ſo much engaged in their own conteſts and purſuits, and ſo actuated by the principles of their ſuperior [the proprietary, whoſe attachments to James II. during thoſe days are well known] that they ſeem to have diſregarded that ſignal revolution which transferred their allegiance and Pennſylvania to the prince and princeſs of Orange: for the very laws and government of the province were adminiſtered in the name of the abdicated monarch, long after William and Mary had been formally proclaimed in other colonies.

It

It is a ſingularity in the hiſtory of this province, that neither its various ſyſtems, nor its fundamental laws, were communicated to the king for diſſent or approbation, though ſtrongly enforced *.

Penn's adherence to James carried him to ſuch lengths, that he was conſidered as an inveterate enemy to the proteſtant eſtabliſhment, and was for ſome time excepted out of the acts of grace publiſhed by William and Mary; who appointed colonel *Fletcher*, by the ſame commiſſion, governor both of New-York and Pennſylvania. In the commiſſion no manner of regard ſeems to have been had to the original charter. But when the aſſembly met, though ſixteen ſhort in number to what had been before uſual, through the change made in the writs, they paſſed a vote, *nem. con.* "That the laws of this province, which were in force and practice before the arrival of this preſent governor, are ſtill in force: and that the aſſembly have a right humbly to move the governor for a continuation or confirmation of the ſame." That and ſubſequent aſſemblies ſhowed ſuch a fixed determination to ſecure their rights, that neither governor nor lieutenant governor could bring them to bend to their wiſhes.

In 1696 Penn had ſo well managed matters at the court of England, that he was reſtored to his right of naming a governor: and in the beginning of 1700 he went to Pennſylvania in perſon. After the meeting of ſeveral aſſemblies, he convened one in September 1701, and informed them of the indiſpenſable neceſſity he was under of going to England, to obviate ſome ill offices done by his and their enemies with the government there;

1696.

1700.

1701.

* Chalmers's Annals.

there; but offered to do every thing that was in his power to ſecure to them their privileges and properties. The aſſembly, in their anſwer, expreſſed their diſſatisfaction at the ſtate of both, and required further ſecurity; to which he gave evaſive anſwers, but offered to leave the nomination of the deputy governor to themſelves: they declined it, and went upon a new charter of privileges.

This introduced a breach between the members of the province, and thoſe of the territories; the latter inſiſting upon ſome particular privileges, which, when refuſed by the others, made them withdraw from the meeting, and it required all the authority and addreſs of the proprietary to make up the breach. At laſt, after great heart-burnings on both parts, juſt when Mr. Penn was about to embark, a charter of privileges was preſented to him, and being ratified by him, became the rule of government in Pennſylvania. By this important charter liberty of conſcience is granted; and all chriſtians, of whatever denomination, taking the proper oaths of allegiance and fidelity, are enabled to ſerve the government, either legiſlatively or executively. The excluſion of all perſons from the legiſlative and executive branches, however eminently qualified, and well behaved as members of civil ſociety, unleſs they are chriſtians, does not accord with that general liberty which ought to prevail in national communities, now that the exiſtence of all theocracy is ended by the introduction of the kingdom of Chriſt. The piety of the theoriſt, and the ſubtilty of the politician, deſirous of ſecuring the ſupport of chriſtians, may introduce the excluſion into

written

written or printed agreements, but cannot eſtabliſh a practical excluſion of perſons oppoſed to chriſtianity. He muſt be both ſimple and uninformed, who will not admit, that many deiſts have ſerved the Pennſylvania and other excluding governments, either legiſlatively or executively.

By the ſecond article of the charter it is provided, that an aſſembly ſhall be yearly choſen by the freemen, to conſiſt of four perſons out of each county, or of a greater number, if the governor and aſſembly ſhall ſo agree, on the 1ſt of October for ever, and ſhall ſit on the 14th following, with power to chooſe a ſpeaker and other their officers, and be judges of the qualifications and elections of their own members; ſhall ſit upon their own adjournments, prepare bills, impeach criminals, and redreſs grievances; and ſhall poſſeſs all other powers and privileges of an aſſembly, according to the rights of the free-born ſubjects of England, and the cuſtoms obſerved in any of the king's plantations in America. If any county or counties ſhall neglect to ſend deputies, thoſe who meet, provided they are not fewer in number than two thirds of the whole, ſhall be conſidered as the legal repreſentatives of the province.

By the eighth article, in caſes of ſuicide, all property is to deſcend to the next heirs, as if the deceaſed had died a natural death: nor is the governor to be entitled to any forfeiture, if a perſon ſhall be killed by caſualty or accident. The ſame article provides, that no act, law, or ordinance whatſoever, ſhall at any time hereafter be made, to alter or diminiſh the form or effect of this charter, or of any part of it, without the conſent of the governor for the time being, and ſix parts in ſeven

of

of the aſſembly met—that the firſt article, relating to liberty of conſcience, ſhall be kept without any alteration inviolably for ever—and that William Penn, for himſelf, &c. does ſolemnly declare, that neither he, &c. ſhall do any thing whereby the liberties, in this charter contained, nor any part thereof, ſhall be infringed; and that if any thing ſhall be done by any perſon contrary thereto, it ſhall be held of no effect.

This new conſtitution differed greatly from the original. The governor might nominate his own council, and he was left ſingle in the executive part of the government, and had liberty to reſtrain the legiſlative, by refuſing his aſſent to their bills. The aſſembly, on the other hand, acquired the important privilege of propounding laws, as well as of amending or rejecting them; but though this new conſtitution was thankfully accepted by the province, it was unanimouſly rejected by the territories; and affairs ſtood in this untoward ſtate when the proprietary ſailed for England. The repreſentatives of the province and thoſe of the territories divided, and acted as two diſtinct bodies: and the attempts to unite them proved ineffectual.

The *territories* conſiſted of the three counties, *Newcaſtle*, *Kent*, and *Suſſex* on the Delaware, and are commonly known by the name of the three *Lower Counties on the Delaware.*

Notwithſtanding Mr. Penn is celebrated as the wiſeſt of legiſlators, the aſſembly, about the year 1704, unanimouſly came to nine reſolutions, in which they complain with great grief of him, "for undermining his own foundations; and by a ſubtle contrivance, laid deeper than the capacities of ſome could fathom, finding a way

to

to lay aſide the act of ſettlement, and diſſolve his ſecond charter *." He was likewiſe charged with having extorted from the province great ſums of money. They complained alſo of the abuſes of ſurveyors, the clerks of the courts, and juſtices of the peace, who, they ſaid, were all put in by the proprietary, ſo that he became his own judge in his own cauſe. Theſe and other matters were the heads of a repreſentation, or rather remonſtrance, drawn up and ſent to Mr. Penn then in England, in which he is repreſented as an oppreſſor, and as falſifying his word in almoſt every reſpect with the provincials †.

The diſputes which ſubſiſted in Pennſylvania were greatly augmented by the intemperance of the quakers themſelves, who, notwithſtanding all their zeal for liberty of conſcience, perſecuted, about or ſoon after 1694, George Keith (who had been one of their moſt famous preachers) upon his conforming to the church of England; and went ſo far as to throw him into priſon. They apologized for their conduct by pleading, that they did not puniſh him for his religious principles, but for having inſulted the civil government ‡. If this was a good plea, the New Englanders might gain great advantages from it, in vindicating themſelves as to many of the ſeverities they practiſed upon the quakers, who inſulted their civil governments, beyond what will be eaſily credited by thoſe, who have not had the opportunity of knowing the tranſactions of that period, or are not acquainted with the abuſive language of ſome of the then leaders of that

* Chalmers's Annals, p. 654. † The modern Univerſal Hiſtory, Vol. XLI. p. 19. 1764. ‡ Ibid. p. 20.

denomination

denomination—language which the body of modern quakers will not vindicate.

It only remains to give a conciſe account of the ſettlement of *Georgia*.

1732. In 1732 a number of gentlemen, conſidering the vaſt benefit that might ariſe from the tract of land lying between the Savannah and the river Alatamaha, petitioned the king for a charter, which was accordingly granted on the ninth of June. They meant, that the country ſhould be made a bulwark for the ſouthern colonies againſt the Spaniards; and ſhould give employment to numbers of people, who were burdenſome at home to their friends and pariſhes. The charter conſtituted them a corporation, by the name of truſtees for eſtabliſhing a colony, by the name of Georgia, including the country from the moſt northern ſtream of the Savannah, to the moſt ſouthern ſtream of the Alatamaha. The corporation was to ſubſiſt for 21 years; and after the expiration of that term, the governor and all officers were to be appointed by the crown.

Toward the end of Auguſt Sir Gilbert Heathcote recommended, in the ſtrongeſt terms, to the directors of the bank, the intereſts of the colony. His ſpeech had the deſired effect, and the members of the court, after his example, contributed largely toward the undertaking, as did great numbers of the nobility, gentry, clergy, and others; and the parliament granted 10,000*l*. By the beginning of November, about a hundred and ſixteen coloniſts preſented themſelves, moſt of them laboring people; and were furniſhed with working tools of all kinds, ſtores, and ſmall arms. Mr. *Oglethorpe*, one of the truſtees, generouſly attended the firſt ſet of emigrants

emigrants to Carolina, where they arrived in good health on the 15th of January following. The Carolinians 1733.
made them a preſent of 100 breeding cattle, beſides hogs, and twenty barrels of rice; and furniſhed them with a party of horſe and with ſcout boats, by the help of which they reached the Savannah, where Mr. Oglethorpe, ten miles up the river, pitched upon a ſpot for a town; and on February the 9th the building of the firſt houſe commenced. The coloniſts were moſt generouſly aſſiſted by the Carolinians and their governor, Colonel Bull, not only with their purſes, but their labor, in raiſing the new town, named Savannah from the river.

Mr. *Oglethorpe* was waited upon by a numerous deputation from the Lower Creek nation, with whom he concluded a treaty; and ſoon after ſat out for Charles-town on his return to England, where he arrived in 1734, bringing with him ſeveral Indian chiefs 1734.
and a war captain. But before the end of March this year, more emigrants to the amount of ſix hundred, were either ſent over by charity, or went at their own expence.

On the 30th of October the Indians embarked for their own country, having had an allowance while in London of 20 l. a week, of which they ſpent little, as they commonly eat and drank at the tables of perſons of the higheſt diſtinction. They moreover received preſents to a very conſiderable amount. They embarked at Graveſend in a ſhip which carried over a number of Saltzburghers, being German proteſtants, who, with others of their countrymen that followed, ſettled on the Savannah a town they called Ebenezer, and which by their habits of induſtry and ſobriety ſoon became conſiderable. The Georgians made a ſurpriſing

progreſs in clearing their lands and building their houſes; and, as an encouragement, the Britiſh parliament granted them a ſupply of 26,000 *l.* which, with very great private donations, was expended upon ſtrengthening the ſouth part of Georgia. This being a neceſſary ſervice for the colony, the truſtees pitched upon the highlanders of Scotland, 160 of whom went
1735. over in 1735, ſettled themſelves upon Altamaha river, and gave the name of Darien to a fort they built there, to which they afterward added a ſmall town called New Inverneſs.

1736. In February Mr. Oglethorpe, with about 300 paſſengers on board two ſhips, anchored in the road of Savannah. He ſoon began building another town named Frederica.

1737. A miſunderſtanding ſubſiſting between the courts of London and Madrid, and advice being ſent from South Carolina to Britain, that the Spaniards at St. Auguſtine and the Havannah were making preparations for attacking Georgia, the government, at the requeſt of the truſtees, ſent thither a regiment of 600 men, any of whom at the end of ſeven years might have a regular diſcharge, and be entitled to a grant of twenty acres of land. The parliament this year granted the colony another ſupply of 20,000 *l.* which enabled the truſtees to ſend over a freſh embarkation of perſecuted proteſtants.

On the breaking out of the war between England and Spain, Mr. Oglethorpe, being inveſted with a general's command, proceeded with a body of troops to attack St. Auguſtine in 1740, but the expedition proved unfortunate.

In 1742 Georgia was invaded by about 5000 Spaniards and Indians from St. Auguſtine, in about fifty veſſels of various kinds, who were repulſed by the general at the head of the Engliſh forces, and a ſmall body of Indians. Had the Spaniſh deſcent proved ſucceſsful, the Carolinians muſt have been in imminent danger: but the general's good conduct ſecured them, and he received congratulatory letters of thanks from ſeveral of the American governors, for his great and important ſervices *. 1742.

On the review of what you have read, you will note, that the coloniſts were very early in declaring, that they ought not to be taxed, but by their own general courts, and that they conſidered ſubjection to the acts of a parliament in which they had no repreſentatives from themſelves, as a hardſhip—that like true born Engliſhmen, when grievouſly oppreſſed by governors or others, they reſiſted, depoſed, and baniſhed; and would not be quieted till grievances complained of were redreſſed—and that not a colony, Georgia excepted, was ſettled at the expence of government. Toward the ſettlement of the laſt, parliament granted 56000 *l.* at three different periods.

* Modern Univerſal Hiſtory, Vol. XL. p. 453—463. 1763.

L. E. T.

LETTER II.

Roxbury, July 9, 1772.

THE preſent letter begins with ſome ſpecial colonial tranſactions ſubſequent to the glorious revolution.

Upon information of the acceſſion of William and Mary, the fort at New York was ſeized by the rabble, while the lieutenant governor Nicholſon and the council waited with anxiety for orders to proclaim their new ſovereign. On this occaſion, Jacob Leiſler placed himſelf at the head of the inſurgents; and notwithſtanding the proteſt of the council, poſſeſſed himſelf by force of a letter tranſmitted by king William to the lieutenant governor, or to ſuch as for the time execute the law, and inſtantly aſſumed the name and exerted the authority of governor. He convened two ſeſſions of aſſembly in 1690, which paſſed various laws. But colonel Sloughter, who had been appointed governor in Auguſt, 1689, arriving in March, 1691, Leiſler was made priſoner, and, with others, condemned for treaſon and murder: he and his principal adviſer were executed. A legal general aſſembly was now convened. The precaution taken in the declaration and bill of rights, by the convention and parliament, to ſtate the claims of Engliſhmen, might naturally induce the Yorkers to propoſe ſomewhat ſimilar for themſelves, had there been no prior propenſity to that buſineſs. But the prevailing

1691.

opinion

opinion of the coloniſts naturally dictated to them the ſeizing of the preſent favorable opportunity. The New York general aſſembly paſſed "an act, declaring what are the rights and privileges of their majeſties ſubjects within the province." The law enacts, "That the ſupreme legiſlative power and authority under their majeſties, ſhall for ever be, and reſide in a governor and council appointed by their majeſties, their heirs and ſucceſſors; and the people by their repreſentatives met and convened in general aſſembly." It further enacts, "*That no aid, tax, tallage, &c. whatſoever, ſhall be laid, aſſeſſed, levied, or required, of or on any their majeſties ſubjects within the province, &c. or their eſtates, upon any manner of colour or pretence whatſoever, but by the act and conſent of the governor and council, and repreſentatives of the people, in general aſſembly met and convened.*" This memorable act was a virtual declaration, that the inhabitants of the colony had a right to be repreſented in aſſembly, and enjoyed it not as a privilege, through the grace of the crown *. Six years after, in 1697, a negative was put upon the act, probably by the regency, while the king was abſent, which was from April the 26th, to the middle of November, when he returned after the peace of Ryſwick was ſettled.

The *Maſſachuſetts* petitioned for a renewal of their former charter, but it could not be obtained; and many reaſons were aſſigned for not granting it; among the reſt, its giving them no power to lay taxes and raiſe money, eſpecially on inhabitants not being of the company, and on ſtrangers coming to or trading with them. One of the chief acts of delinquency alleged in the

* William Smith's Hiſtory of New York, p. 75.

writ of *ſcire facias*, iſſued againſt their former charter, was, their having *levied money of the inhabitants.*

1691. King *William* and queen *Mary* granted a new charter, in which *Plymouth*, the *Main*, *Acadia* or *Nova Scotia*, and the tract lying between *Nova Scotia* and the *Main*, were annexed to and made a part of the *Maſſachuſetts*. It was complained of, as being not much more than a ſhadow of the old; ſeeing that the appointment of the governor, lieutenant governor, ſecretary, and all the officers of the admiralty, was veſted in the crown; that the power of the militia was wholly in the hands of his majeſty's governor as captain general; that all judges, juſtices, and ſheriffs, were to be nominated by the governor with the advice of the council; that the governor had a negative upon the choice of counſellors; that all laws enacted by the general aſſembly, were to be ſent home for the royal approbation or diſallowance; and that no laws, ordinances, elections, or acts of government whatſoever, were to be of any validity, without the conſent of the governor ſignified in writing. The new charter, however, conferred on the inhabitants a number of very important privileges, and was to be preferred to the old in many reſpects. They were informed by the beſt civilians, that their religious liberties were for ever ſecured; and that they could be touched by no tax or law, but of their own making; which had a good effect in quieting them under the variations to which they objected.

1692. The firſt act of the *Maſſachuſetts* legiſlature, after the arrival of the charter, was a kind of Magna Charta, aſſerting and ſetting forth their general privileges, and this clauſe was among the reſt, "*No aid, tax, tallage, aſſeſſment,*

aſſeſſment, cuſtom, loan, benevolence, or impoſition whatſoever, ſhall be laid, aſſeſſed, impoſed, or levied on any of his majeſty's ſubjects, or their eſtates, on any pretence whatever, but by the act and conſent of the governor, council, and repreſentatives of the people aſſembled in general court." The general court paſſed others favorable to liberty, which were peruſed by the miniſters of England at a diſtant period; and with the preceding, diſallowed of by the regency in 1695. In December the reaſons of this diſſent were tranſmitted to the governor and council. The following extract from the letter ſent by the committee of plantations is ſubjoined, becauſe of its being ſo extraordinary and deciſive: "Whereas, by the act for ſecuring the liberty of the ſubject, and preventing illegal impriſonments, the writ of Habeas Corpus is required to be granted, in like manner as is appointed by the ſtatute of 31 Charles II. in England, which privilege has not as yet been granted in any of his majeſty's plantations; it was not thought in his majeſty's abſence, that the ſaid act ſhould be continued in force, and therefore the ſame hath been repealed."

The above extract makes this a proper place for mentioning, that the ancient coloniſts being deſtitute of perſonal ſecurity, for want of an Habeas Corpus act, were in ſome provinces grievouſly oppreſſed. Edward Randolph, ſurveyor general during the reign of William III. repreſented their condition to the board of trade March 1700; and among other beneficial regulations, he recommended "That it being the practice of governors to impriſon the ſubjects without bail, the Habeas Corpus act ſhould be extended as fully to the colonies as it is in England." It was accordingly ſoon after conferred

on Virginia by queen Anne. The council, in their addreſs ſaid upon the occaſion, "We the council of Virginia acknowledge your majeſty's late favor, in allowing us the benefit of the Habeas Corpus act, and in appointing courts of oyer and terminer, for the more ſpeedy execution of juſtice, and relief from long impriſonments." The lower houſe in theirs, ſaid, "We the burgeſſes now aſſembled, do beſeech your majeſty to accept our ſincere thanks, for your many favors beſtowed on your ſubjects of this colony. We ſhall not pretend to enumerate the particulars, nor can we omit mentioning theſe lately communicated to us by your majeſty's royal inſtructions to your governor, wherein you have aſſerted to your ſubjects their legal rights and properties, by allowing them the Habeas Corpus act *."

The extenſion of the Habeas Corpus act to the plantations by Queen Anne, appears to have been only by inſtructions to the governors, and not by any act of parliament. By what prerogative could ſhe extend that act to the coloniſts, were they not before entitled to its benefit? If entitled, it was unjuſt in any power to deny them the advantage of the act; and the royal favor to the Virginians conſiſted ſolely in the queen's *aſſerting to her ſubjects their legal rights and properties*, (as the burgeſſes expreſſed themſelves) by giving ſuitable directions on the buſineſs. The high ſenſe of colonial liberty exhibited by the *York* and *Maſſachuſetts* general courts, was oppoſed by the *Engliſh* government.

1696. An act was paſſed by the parliament, declaring that "All laws, bye-laws, uſages and cuſtoms, which ſhall be in practice in any of the plantations, repugnant to

* Chalmers's Political Annals.

any

any law made or to be made in this kingdom relative to the ſaid plantations, ſhall be void and of none effect."

There might be no deſign on the part of the miniſtry of taxing any of the colonies; but about 1696, a pamphlet was publiſhed, recommending the laying a parliamentary tax on one of them. It was anſwered by two others much read; which totally denied the power of taxing the colonies, becauſe they had no repreſentation in parliament to give conſent. No anſwer, public or private, was given to theſe pamphlets; no cenſure paſſed upon them; men were not ſtartled at the doctrine, as either new, or illegal, or derogatory to the rights of parliament *. 1696.

Though the parliament might not then claim the right of taxing, they claimed the right of puniſhing diſobedience to their laws, with the loſs of charter privileges. In the 11th of *William* III. an act was paſſed for the trial of pirates in *America*, in which there is the following clauſe, "Be it further declared, *that if any of the governors, or any perſon or perſons in authority* there, ſhall *refuſe to yield obedience to this act*, ſuch refuſal is hereby declared to be a *forfeiture* of all and every the *charters* granted for the *government* or *propriety* of ſuch plantation." 1699.

Severity is ſtamped upon the very face of the act, in making the diſobedience of a governor, the forfeiture of a charter, meant to ſecure the liberties of thouſands, who might not have any the leaſt power of preventing ſuch diſobedience. The proprieties and charter colonies were ſo diſinclined to admit of appeals to his majeſty in council, and were thought ſo to thirſt after in-

* Lord Camden's ſpeech in April 1766.

dependence, that theſe and other objections againſt them
1701. were laid before the parliament, and a bill thereupon brought into the houſe of lords for re-uniting the right of government in thoſe colonies to the crown: but better councils prevailed, and matters were left unaltered. Some are for bringing as a precedent for the parliament's raiſing a revenue from the colonies, what was paſſed in
1710. 1710, viz. "An act for eſtabliſhing a general poſt-office for all her majeſty's dominions, and for ſettling a weekly ſum out of the revenues thereof, for the ſervice of the war and other her majeſty's occaſions." By this act the poſtage of England, Scotland, Ireland, and America were conſolidated, to the end, that a general poſt-office might be eſtabliſhed through Great Britain and Ireland, her colonies and plantations in North America and the Weſt Indies, and all her other dominions, in ſuch manner as might be moſt beneficial to the people; and that the revenue ariſing from the ſaid office might be better improved. The conſolidation made a new act neceſſary; and afforded the opportunity of advancing the rates of letters. The weekly ſum amounted to 700l, and was to be paid out of the revenue for 32 years: the payment was made perpetual in the third year of her ſucceſſor, having been, ſoon after granted, appropriated by another act toward paying off, with intereſt at ſix *per cent.* the principal of 2,602,200l. which government borrowed of the public. By the act, the poſt-riders carrying the mail, were exempted from paying any thing for paſſing the ferries in North America, and the ferryman was ſubjected to a penalty of five pounds, if he did not convey them over within half an hour after demand.

What-

Whatever power over the colonies, the parliament might exerciſe in the act, the diſſimilarity between this and the ſugar act, paſſed in 1764, will not admit of the former's being quoted, with propriety, as a precedent for the latter. The coloniſts were in no wiſe uneaſy at it, and conſidered not the American poſtage in the light of an internal tax, deſigned for the raiſing of a revenue from them; for it was but a few comparatively who were affected by it; and theſe were accommodated in the conveyance of their letters, received a full equivalent for the poſtage of them, and were not bound to ſend them by the public poſt, when they preferred a private conveyance.

In reſpect to the readineſs of the colonies to co-operate with each other and the mother country, for the general good, they manifeſted the ſame as occaſion required.

The *Maſſachuſetts* general court wrote to the ſeveral governors of the neighbouring colonies, deſiring them to appoint commiſſioners "to meet, adviſe, and conclude upon ſuitable methods in aſſiſting each other, for the ſafety of the whole land." The governor of *New York* was requeſted to ſignify the ſame to *Maryland*, and parts adjacent. 1690.

The commiſſioners met on the 1ſt of May, at *New York*, and were ſtiled a *Congreſs*, as may be concluded from the following paragraph in Mr. *Stoughton*'s letter of October 20, 1693, to Lord *Nottingham* *: "I crave leave further to acquaint your lordſhip, that the governor of *New York* having written unto his excellency the governor here, ſignifying his appointment of a meeting at May 1. Congreſs.

* Hutchinſon's Hiſtory, Vol. II. p. 74.

New York, upon the firſt Wedneſday of this month, of commiſſioners from the ſeveral governments of *New England*, *Virginia*, &c. to concert and agree upon a certain *quota* of men and money, for the defence of *Albany*, &c. in obſervance of their majeſties commands; it happened to be at ſuch a time, and under ſuch a conjuncture of affairs here, that no meet perſons could be procured to attend *that Congreſs*." It does not appear, that there was any congreſs between the two periods. It may alſo be obſerved, that the firſt was procured at the motion of the *Maſſachuſetts* general court, formed, from the neceſſity of the day, upon the vacated charter, before a new one was granted; and that the motion originated in the court, from zeal for the common ſafety of the colonies, without any interpoſition of their majeſties command. We meet with no congreſs prior to what was thus procured.

1709. Oct. 14. At the deſire of colonel *Vetch*, there was a congreſs of ſeveral governors, with ſome of their council and aſſembly, to conſult upon the intended expedition againſt *Canada*, and to reſolve on methods for ſecuring the frontiers.

1711. Oct. 31. The *Maſſachuſetts* houſe of aſſembly, at the motion of lieutenant general *Nicholſon*, adviſed, to a congreſs of her majeſty's governors, attended with ſuch perſons as the governments might appoint. The council appointed two, and the houſe three, out of their reſpective bodies, to attend the governor to congreſs, which appears to have met afterward at *New London*.

But though the conduct of the *Maſſachuſetts*, in their exertions for the general good, was highly commend-

able,

able, their behaviour afterward, in their own colonial affairs, under governor *Shute*, was greatly cenſured.

The houſe of aſſembly attempted to take from colonel *Shute*, thoſe powers in matters relative to the war, which belonged to him by the conſtitution, and to veſt them in a committee of the two houſes. They by degrees acquired, from the governor and council, the keys of the treaſury; and no monies could be iſſued, not ſo much as to pay an expreſs, without the vote of the houſe for that purpoſe; whereas, by the charter, all monies were to be paid out of the treaſury, "by warrant from the governor, with advice and conſent of the council." 1722.

The miniſtry were greatly offended at the governor's being made uneaſy; for colonel *Shute* was known at court and the offices of ſtate, under the character of a very worthy gentleman, of a ſingular good temper, fitted to make any people under his command happy. When, therefore, they found the contrary in the *Maſſachuſetts*, they concluded, that the people wiſhed to have no governor from *Great Britain*, but wanted to be independent of the crown. The cry of the city of *London* ran exceedingly againſt them; and a ſcheme, that had been long planned for taking away the charter, had nearly been executed; but was fortunately fruſtrated by the indefatigable pains of Mr. *Dummer*, their then agent. Their own council at home were obliged to a confeſſion of their illegal proceedings. An explanatory charter was prepared, propoſed, and accepted. Had it not been accepted, the deſign was to have ſubmitted to the conſideration of the Britiſh legiſlature, "What further proviſion may be neceſſary to ſupport and preſerve his majeſty's 1725. Jan. 15.

jesty's authority in the colony, and prevent similar invasions of his prerogative for the future *."

It had been usual to give instructions to the several governors, to recommend to the assembly, the establishing of a salary suitable to the dignity of their post; but the house had always declined complying, prudently apprehensive, that disagreeable consequences might ensue, from the independency of the governor on the people over whom he was placed. These instructions were renewed when governor *Burnet* was appointed to the chair, who adhering to them, and showing a fixed determination not to part with governmental rights, warm disputes followed between him and the house of representatives; whose treatment of him was so unwarrantable, that the
1729. council board, within a week after the affair, expressed their concern at the unbecoming and undutiful treatment given to his excellency, in the message of the house, on the sixth of December.

In divers instances, they showed such a disposition to encroach upon the prerogative, to wrangle with their governors, and to dispute with the crown, that the ministry, and other persons in public offices, as is natural for those who look for submissive compliance, were much irritated; and improved to the utmost, all advantages to excite prejudices against them.

It was suggested, that they were aiming at independence; and jealousies were raised in the minds of some, that there was danger of the colonies setting up for

* Hutchinson's History, Vol. II. p. 271, 290, 294, 321. and gov. Burnet's Speech to the Massachusetts general court, in the Massachusetts Records for 1728.

them-

themſelves. Nevertheleſs, it was certain that ſuch a ſcheme appeared to the whole country, wild and extravagant; becauſe of the univerſal loyalty of the people, beyond what was to be found in any other part of the Britiſh dominions, together with the infancy of the colonies, and their being diſtinct from one another in forms of government, religious rites, emulation of trade, and, conſequently, their affections; ſo that it was not ſuppoſable, that they could unite in ſo dangerous an enterpriſe *.

However, when the *Maſſachuſetts* petitioned the houſe of commons, praying that they might be heard by counſel on the ſubject of grievances, the houſe took that opportunity of diſcovering how jealous it was of the kingdom's ſupremacy, and uncontrollable authority over the colony: for the commons having conſidered the matter, reſolved "That the petition was frivolous and groundleſs, a high inſult upon his majeſty's government, and tending to *ſhake off the dependency* of the ſaid colony upon this kingdom, to which, *in law and right, they ought to be ſubject.*"

The colonies might object to ſome acts paſſed reſpecting them, particularly—The act prohibiting the cutting down of pitch and tar trees, not being within a fence or encloſure—The act prohibiting the exportation of hats made in the colonies, even from one colony to another; and reſtraining all makers of hats from taking more than two apprentices at a time, or any for leſs than ſeven years, and entirely from employing negroes in the buſineſs—The act for the more eaſy recovery of debts

* Maſſachuſetts Records for 1729 and 1731. Hutchinſon's Hiſtory, Vol. II. p. 355, 360—363.

in

in his majeſty's plantations and colonies in America, which made houſes, lands, negroes, and other real eſtates aſſets for the payment of debts. It was paſſed in 1732, upon the petition of the Engliſh merchants trading to the colonies, who complained, that in Virginia and Jamaica, a privilege was claimed to exempt their houſes, lands, tenements, and negroes, from being extended for debt: the lords of trade at the ſame time repreſented, that the aſſemblies of thoſe colonies could never be induced to diveſt themſelves of theſe privileges by any act of their own. But whatever objections were made to the above acts, no general meaſure was adopted to obtain their repeal. They continued in being; but the hatters act was diſregarded; and methods were deviſed for felling the prohibited trees, when the neighbourhood wanted a ſupply. The operation of the act deſigned for the benefit of creditors, was too often, as in other countries, weakened or evaded by the diſhoneſt debtor. Men of principle gave themſelves little concern about its exiſtence, as they had nothing to fear from it, and knew that the ſame was intended to prevent perſons being cheated out of their property.

The ſugar coloniſts combined together, and obtained an act againſt the trade carried on from the Britiſh northern provinces to the Dutch and French colonies, for foreign rum, ſugar, and molaſſes. The act paſſed in 1733, and laid a duty of nine-pence a gallon on rum, ſix-pence a gallon on molaſſes, and five pounds on every hundred weight of ſugar, that came not from the Britiſh Weſt-India iſlands, and were brought into the northern colonies. It was profeſſedly deſigned as a prohibition from the foreign iſlands; but did not anſwer.

It

It was found expedient, and for the general benefit, to admit of the molaſſes, &c. being moſtly run into the colonies, without inſiſting upon the duties, or making frequent ſeizures. The act unhappily produced an illegal ſpirit of trading; but was continued by ſubſequent ones down to 1761; when the duty on the molaſſes was reduced to three-pence, to prevent its being run any longer. The act did not appropriate the monies to be raiſed by the duties, ſo that when, in length of time, there was a ſum in the hands of the receiver worth remitting, a demur enſued as to the application of it.

The monies produced by this and other acts, were not conſidered as real *taxes*, either by the colonies or the mother country. But ſome perſons wiſhed to have taxes impoſed upon them, which would neceſſarily produce many good poſts and places in *America* for courtiers; and during the war with *Spain*, which broke out in 1739, a ſcheme for taxing the *Britiſh* colonies was men- 1739.
tioned to Sir *Robert Walpole*. He ſmiled, and ſaid, "I will leave that to ſome of my ſucceſſors, who have more courage than I have, and are leſs friends to commerce than I am. It has been a maxim with me, during my adminiſtration, to encourage the trade of the *American* colonies in the utmoſt latitude; nay, it has been neceſſary to paſs over ſome irregularities in their trade with *Europe*: for, by encouraging them to an extenſive growing foreign commerce, if they gain 500,000l. I am convinced, that in two years afterward, full 250,000l. of their gains will be in his majeſty's exchequer, by the labor and produce of this kingdom, as immenſe quantities of every kind of our manufactures go thither; and as they increaſe in their foreign American

rican trade, more of our produce will be wanted. This is taxing them more agreeably to their own conſtitution and ours."

Had the ſcheme for taxing the colonies been attempted, it would have occaſioned a ferment, that muſt have prevented thoſe exertions in the common cauſe, which were given into by the *New Englanders*, eſpecially the *Bay-men*, ſo the inhabitants of the *Maſſachuſetts Bay* are frequently called.

War being declared againſt *Spain*, a requiſition of troops was made to the *Maſſachuſetts*, and a larger number raiſed and embarked on his majeſty's ſervice than was required, of whom, ſcarce one in fifty returned.

1744. Upon receiving the declaration of war with *France*, the general court, then ſitting, made immediate proviſion for raiſing forces for *Annapolis* in Nova Scotia: they happily arrived in ſeaſon, and were the probable means of ſaving the country. Divers times afterward, *Nova Scotia*, when attacked by the French, was relieved by the Bay-men; ſo that during that unproſperous war, poſſeſſion was always kept of it for the crown of Great Britain.

1745. But the moſt important ſervice to be mentioned, is the reduction of *Louiſburgh*. Governor *Shirley*'s heart was ſet upon effecting it. He prevailed upon the two houſes to lay themſelves under an oath of ſecrecy; and then communicated his plan of the expedition. A committee was appointed to conſider it, and were ſeveral days in deliberating. After mature conſideration, a majority diſapproved of the propoſal. The report was accepted, and the members of the court laid aſide all thoughts of the expedition. By the governor's influence probably, as well as with his approbation, a petition from

from a number of merchants was preſented to the houſe of repreſentatives, praying a re-conſideration of their vote, and their agreement to the governor's propoſal. A ſecond committee reported in favor of it. The report was debated in the houſe the whole day. It is remarkable, that Mr. *Oliver* * fell down, and broke his leg, while going to the houſe, with a full deſign of oppoſing the expedition. His preſence would have made a majority, and overſet it; but this accident occaſioned his abſence; and upon the diviſion in the houſe at night, the numbers were equal. The ſpeaker, *Thomas Hutchinſon*, eſq; † was called upon to give the caſting vote; which he did in favor of it, though he oppoſed it when in the committee. He was, probably, prevailed upon thus to vote, that he might ſecure the favor of the governor, and render himſelf the more popular.

The point being now ſettled, there is an immediate union of both parties; and all are equally zealous in carrying the deſign into execution. Meſſengers are diſpatched as far as *Pennſylvania*, to entreat the junction of the ſeveral governments in the expedition. All excuſe themſelves, except *Connecticut*, *New Hampſhire*, and *Rhode Iſland*. The firſt agrees to raiſe 500 men, the other two 300 each. *Connecticut* and *Rhode Iſland* conſent alſo, that their colony ſloops ſhall be employed as cruiſers. Jan. 25.

The time for preparing is ſhort. But the winter proves ſo favorable, that all kinds of out-door buſineſs is carried on as well, and with as great diſpatch, as at any other ſeaſon. The appointment of a general officer is of the utmoſt conſequence. He muſt be acceptable

* The preſent lieut. governor [1772.] † The preſent governor [1772.]

to the body of the people; the inliſtment depends upon this circumſtance. It is not eaſy to find a perſon, thus qualified, willing to accept. Colonel *Pepperrell** has the offer from the governor; but is rather preſſed into the ſervice, than engages voluntarily. His example, in quiting for the preſent his extenſive mercantile buſineſs, has conſiderable influence; and induces inferior officers, and even private ſoldiers, to quit their ſmaller concerns, for the ſervice of their country. Governor Wentworth, of New Hampſhire, offers afterward to take the command of the expedition. Two or three gentlemen of prudence and judgment, are conſulted upon the occaſion, by governor Shirley, who finds them clearly of opinion, that any alteration of the preſent command would be attended with the greateſt riſk, of entirely diſguſting both the Maſſachuſetts aſſembly and ſoldiers †. By the efforts of a general exertion in all orders of men, the armament is ready, ſails, and arrives at *Canſo* the fourth of April. The *Bay-men* conſiſt of 3,250 troops, excluſive of commiſſion officers. The *New Hampſhire* forces, 304, including officers, arrived four days before. The *Connecticut*, being 516 incluſive, arrive on the twenty-fifth. The 300 *Rhode Iſlanders* do not arrive till the place has ſurrendered.

Apr. 4.

Toward the end of the month, commodore *Warren* arrives from the Weſt Indies, with a ſixty gun ſhip, and two of forty; and joins another of forty, which had reached *Canſo* the day before, in conſequence of his orders, received while under ſail from *Portſmouth* in *New Hampſhire* on her way to Britain. The men of war ſail immediately to cruiſe before *Louiſburg*. The forces

* Grandfather of the preſent Sir William Pepperrell [1787.]

† Governor Shirley's Letter of February 16, 1744.

ſoon

ſoon follow, and land at *Chapeaurouge* bay the laſt day of April. The tranſports are diſcovered from the town early in the morning, which gives the inhabitants the firſt knowledge of the deſign.

The ſecond day after landing, 400 men march round, behind the hills, to the north-eaſt harbour, where they get about midnight, and fire all the houſes and ſtore-houſes, until they come within a mile of the grand battery. The clouds of thick ſmoke, proceeding from the pitch, tar, and other combuſtibles, prevent the garriſon's diſcovering the enemy, though but a few rods diſtant. They expect the body of the army upon them, and deſert the fort, having thrown their powder into a well; but the cannon and ſhot are left, and prove of ſervice to the Americans. A party, leſs than twenty, come up to the battery the next morning early; and ſeeing no ſigns of men, ſuſpect a plot, and are afraid to enter. At length, an *Indian*, for a pint of rum, ventures in alone through an embraſure, and diſcovers the ſtate of it to the reſt, juſt as a number of French are relanding to recover poſſeſſion. The army has near two miles to tranſport their cannon, mortars, &c. through a moraſs. This muſt be done by mere dint of labor. The hardieſt and ſtrongeſt bodies are employed, and the ſervice performed, agreeable to the advice of major Ezekiel Gilman of Exeter, who having been uſed to draw the maſts over the ſwamps, propoſed making ſleds to put the cannon, &c. upon, and then yoking the men together for draught. The men know nothing of regular approaches. They make merry with the terms, *zigzags* and *epaulements*; and taking advantage of the night, go on, void of art, in their own natural way.

While the forces are buſy aſhore, the men of war, and other veſſels, are cruiſing off the harbour, when the
May 18. weather permits; and on the eighteenth of May, capture a French ſixty-four gun ſhip, having 560 men on board, and ſtores of all ſorts for the garriſon. This prize, with the arrival of other Britiſh ſhips, makes the commodore's fleet eleven by the twelfth of June, conſiſting of a 64, four of 60 guns, one of 50, and five of 40. It is given out, that an attack will be made by ſea with the ſhips, on the eighteenth, while the army do the like by land. Whether a general ſtorm is really intended or not, the French ſeem to expect it, from the preparations on board the men of war, and do not incline to ſtand it. On the fifteenth, a flag of truce is ſent to the general, deſiring a ceſſation of hoſtilities, that they may conſider of articles for a capitulation. Time is allowed; but their articles are rejected by the general and commodore, and others offered, which are accepted by the French, and hoſtages exchanged. The city is
June 17. delivered up on the ſeventeenth. But as it is a time to expect veſſels from all parts to *Louiſburgh*, the French flag is kept flying as a decoy. Two Eaſt India, and one South Sea ſhip, of the value of 600,000l. ſterling, are taken by the ſquadron, at the mouth of the harbour, into which they undoubtedly meant to enter.

The weather proved remarkably fine during the ſiege: the day after the ſurrender, the rains began and continued ten days inceſſantly, which would undoubtedly have proved fatal to the expedition, had not the capitulation prevented. It is not of material conſequence for us to determine, whether the land or ſea force had the greateſt ſhare in the reduction of *Louiſburgh*. Neither

would

would have ſucceeded alone. But there was, certainly, the ſtrongeſt evidence of a generous, noble, public ſpirit, in the *New Englanders*, which firſt inclined them to the undertaking, and of a firmneſs of mind in the proſecution of it; for the labor, fatigue, and other hardſhips of the ſiege, were without parallel in all preceding American operations *. The paying of the charges of this expedition in 1748, leſſens not the merit of the *New England* attempt; for they began it when they had no promiſe, and very little proſpect of being reimburſed. Had it not ſucceeded, they would not have been reimburſed, and muſt therefore have been involved in the greateſt diſtreſs. This they foreſaw, and yet cheerfully ran the riſk for the public ſervice. It would have coſt the crown double the ſum paid the New England governments, to have ſent an armament from Great Britain for the reduction of the ſame place. The colonies met with a heavy loſs, not eaſily repaired, in the deſtruction of the flower of their youth, by camp fevers, other ſickneſſes, the hardſhips and diſtreſſes of the ſiege. Of how much importance Louiſburgh was in the opinion of the French, appeared from their demanding two hoſtages of the firſt nobility in Britain, as pledges for its reſtitution.

Should you hereafter read, "The leading men in the government of the *Maſſachuſetts*, having been guilty of certain mal-practices, for which they were in danger of

* Hutchinſon's Hiſtory, Vol. II. p. 407—420. The above account varies from Hutchinſon's, being corrected in ſome inſtances, from a manuſcript copy of the Hiſtory of the Reduction of Louiſburgh, ſent by Mr. Shirley to the duke of Newcaſtle; and improved in others from information given me.

being called to an account, projected the expedition againſt *Cape Breton*, in order to divert the ſtorm: and proving ſucceſsful, the Engliſh nation was ſo overjoyed, that they forgot every other idea in the general tranſport, ſo that the planners and conductors of the expedition, inſtead of being called to account for former miſdemeanors, found themſelves careſſed and applauded" —believe it not—eſpecially ſhould the writer give "this public notice, I build nothing upon the preſent narration; and I only offer it (becauſe not corroborated by ſufficient evidence) as a probable caſe, and as my own opinion *." Should he be a D. D. you may think it would have been well for him to have recollected the complaint of *Jeremiah*, "I heard the defaming of many; report, *ſay they*, and we will report:" and ſo to have been ſilent on the head of *Cape Breton*. Should you judge it uncharitable to retort upon him; yet you may deem it juſt to remind him of his own, do you find him uſing ſuch like expreſſions as theſe, "As I never believed Dr. *Franklin* in any public matter, excepting in his electrical experiments, I was reſolved to ſee with my own eyes, whether what he advanced was true or not, having a ſtrong ſuſpicion that he fibbed deſignedly, like Sir *Henry Wotton*'s embaſſador, *patriæ cauſa* †."

But to return, the year after the reduction of Louiſ-
1746. burgh, Great Britain entertained the deſign of reducing *Canada*,; and requiſitions were made to the colonies, from New Hampſhire to Virginia incluſive. It was expected, that they ſhould raiſe at leaſt 5000 men;

* See the Poſtſcript of Dean Tucker's humble addreſs.

† The Dean's letter to Edmund Burke, Eſq; p. 27.

they

they voted 8200; and the *Maſſachuſett's*, to the amount of 3500, were ready to embark by the middle of July, about ſix weeks from the firſt notice *. Though the expedition was not proſecuted; this did not leſſen the merit of the colonies, in preparing to ſecond the views of the Britiſh government.

No ſooner were the diſtreſſes of war cloſed, by the renewal of peace; than the coloniſts, particularly of *New England*, were alarmed with the report of an *American epiſcopacy*; which it was the moſt earneſt deſire of Dr. *Thomas Secker*, late archbiſhop of *Canterbury*, to eſtabliſh. The Doctor, when biſhop of *Oxford*, in his ſermon before the Society for propagating the goſpel, &c. "began thoſe invectives againſt the coloniſts and their religious character, which have been unwarily continued, and were founded entirely upon miſinformations, and miſrepreſentations of intereſted perſons, the miſſionaries eſpecially, who found their account in abuſing better chriſtians than themſelves †." This conduct had not the leaſt tendency to reconcile them to the project, but the direct contrary; and argued a ſecret bitterneſs of ſpirit, which promiſed no great moderation, if the ſcheme of epiſcopiſing ſucceeded. The talk of introducing biſhops into America, was very warm among the epiſcopalians in Connecticut; and it is not an uncharitable conjecture, that it originated from, or was promoted by the zeal of biſhop Secker. During the height of the converſation, a worthy divine, now at Rhode Iſland, had the hopes of a biſhopric held out to him, to in- 1748.

* Hutchinſon's Hiſtory, Vol. II. p. 424.

† See a collection of letters and eſſays in favor of public liberty, in three vols. printed for Wilkie, Vol. III. p. 34, 42.

duce him to turn epiſcopalian, though without effect. The coloniſts had reaſon to dread the introduction of epiſcopacy, for it could not be thought, it ſhould come unaccompanied with ſuch a degree of civil power, as would at length trample upon the rights of other denominations. An extenſive and united hierarchy, however named, when armed with civil authority and in alliance with ſtate power, is a dangerous engine, if under the direction of a crafty politician. The failure of the epiſcopiſing project, at this period, might be owing in a great meaſure, to the part the *diſſenting deputation* acted upon the occaſion: for which the repreſentatives of the Maſſachuſetts-bay returned them their thanks, in a meſſage ſigned by the ſpeaker *. But though the colonies were relieved from this cauſe of uneaſineſs, they
1750. were laid under another, by the parliament's paſſing an act, enacting, "That from and after the twenty-fourth of June, 1750, no *mill*, or *other engine*, for *ſlitting* or *rolling* of *iron*, or any *plating forge*, to work with a *tilt hammer*, or any *furnace* for *making ſteel*, ſhall be erected; or, after ſuch erection, continued *in any of his majeſty's colonies in America*."

The four New England colonies however, had no juſt reaſon to complain, when the power of parliament
1751. paſſed an act "to regulate and reſtrain paper bills of credit in ſaid governments, and to prevent the ſame being legal tenders in payment of money;" as they had made the act abſolutely neceſſary, that ſo Britiſh creditors might be ſecured from being defrauded by a legal tender of a depreciated and depreciating paper currency.

* See a ſhort account of the proceedings of the deputation, p. 9.

The

The year after the peace, a grant of 600,000 acres of the fineſt American land, in the neighbourhood of the *Ohio*, was made out to certain noblemen merchants and others, of *Weſtminſter London* and *Virginia*, who aſſociated under the title of the *Ohio Company*. The governor of Canada obtained early intelligence of it; and was alarmed with the apprehenſion, that a ſcheme was in agitation, which would for ever deprive the French of the advantage ariſing from the trade with the *Twightwees*, and cut off the communication ſo beneficial to the colonies of *Louiſiana* and *Canada*. He wrote therefore to the governors of *New York* and *Pennſylvania*, acquainting them, that the Engliſh traders had encroached on the French territories, by trading with their *Indians*; and that if they did not deſiſt, he ſhould be obliged to ſeize them wherever they were found. This was the firſt time that either French or Britiſh had pretended to any excluſive trade with any *Indians*, or even the declared friends and allies of either; for it was expreſsly ſtipulated by the treaty of *Utrecht*, that, on both ſides, the two nations ſhould enjoy full liberty of going and coming among the *Indians*, of either ſide, on account of trade; and that the natives of the Indian countries ſhould, with the ſame liberty, reſort as they pleaſed, to the *Britiſh* or *French* colonies, for the purpoſe of trade, without any moleſtation from either the Britiſh or French ſubjects.

The *Britiſh Indian* trade had been carried on moſtly with *Pennſylvania*, by the river *Suſquehanna*: a great part of it was now to be diverted into another channel by the *Ohio company*; who by opening a waggon-road through the country, and building a truck-houſe at *Will's-creek*,

were providing for its being carried into *Virginia* by the *Patomak*. The Pennſylvania traders, jealous of the Ohio company, were upon the watch to injure them, which ſoon offered, when Mr. *Giſt* was employed by the company, in ſurveying the lands upon the *Ohio*, in order to their procuring 600,000 acres of the beſt and moſt convenient for the Indian trade. He carefully concealed his deſign from the Indians, who were no leſs ſuſpicious and inquiſitive; and being jealous that he meant to ſettle their lands, made uſe of threats. They were not pacified, till there was delivered to them a pretended meſſage from the king of *Great Britain*. The Pennſylvania traders, actuated by revenge, informed both French and Indians, what was the ſervice on which he was employed; and while he was on his progreſs, in the ſpring
1751. of 1751, ſome French parties with their Indians, put the governor of Canada's menace into execution, and
1753. ſeized the Britiſh traders, who were trading among the *Twightwees*, and carried them to a fort they were building on the ſouth-ſide of lake *Erie*. The Britiſh alarmed at the capture of their brethren, retired to the Indian towns for ſhelter, and the *Twightwees*, reſenting the violence done to their allies, aſſembled to the number of five or ſix hundred, and ſcoured the woods till they found three French traders, whom they ſent to Pennſylvania. The French however, determined to perſiſt; and proceeded to build a ſecond fort, about fifteen miles ſouth of the former, upon one of the branches of the Ohio. They alſo erected a fort at the conflux of the *Ohio* and *Wabache*; and thus completed their deſigned communication between the mouth of the *Miſſiſippi* and the river *St. Lawrence*. Nothing was done

by the Pennſylvania government, ſo that the French continued to ſtrengthen themſelves without interruption; and encouraged by the little notice taken of their violence, began to ſeize and plunder every Britiſh trader they found on any part of the *Ohio*.

Repeated complaints were made to lieutenant governor *Dinwiddie* of Virginia; and as the Ohio company, whoſe exiſtence depended upon ſtopping the French encroachments and pretenſions on that river, had great influence there, that colony was prevailed upon to act with ſome vigor.

The lieutenant governor having informed the houſe of burgeſſes, on the firſt of November, that the French had erected a fort on the Ohio, it was reſolved to ſend ſomebody to Mr. *St. Pierre*, the French commandant, to demand the reaſon of his hoſtile proceedings, and to require him at the ſame time, to withdraw his forces. Major *Waſhington*, who was of age only on the eleventh of the preceding February, offered his ſervice on this important occaſion. The diſtance he had to go, was more than four hundred miles; two hundred of which lay through a trackleſs deſert inhabited by Indians; and the ſeaſon was uncommonly ſevere. Notwithſtanding theſe diſcouraging circumſtances, the major attended by one companion only, ſat out upon this hazardous enterpriſe. He travelled from Wincheſter on foot, carrying his proviſions on his back. Upon his arrival at the place of deſtination and delivering his meſſage, the French commandant refuſed to comply, denied the charge of hoſtilities, and ſaid that the country belonged to the king of France; that no Engliſhman had a right to trade upon any of its rivers; and

that

that, therefore, he would ſeize according to orders, and ſend priſoners to Canada, every Engliſhman that ſhould attempt to trade upon the Ohio or any of its branches. Before major *Waſhington* had got back, or the Virginians had heard of the French commandant's anſwer, they ſent out proper people, provided with materials for erecting a fort at the conflux of the *Ohio* and *Monongahela*, whom he met on his return. After exceſſive hardſhips and many providential eſcapes, during his long and tedious undertaking, he arrived ſafe at *Williamſburgh* and gave an account of his negotiation to the houſe of burgeſſes, the fourteenth of February following.

Ere the Virginians had finiſhed their fort, the French came upon them, drove them out of the country, and erected a regular fort on the very ſpot where they had been at work. The conſent of the Indian warriors had not been gained by the Virginians, or they would have ſupported the Britiſh againſt the French attack.

Theſe proceedings of the French galled the Britiſh miniſtry. The Ohio company, whoſe ſchemes were now demoliſhed, was their fondling. They could not ſubmit to have their friends ſo treated; and therefore no ſooner had they the news, than it was reſolved to inſtruct the colonies to oppoſe the French encroachments by force of arms. The inſtructions were received at
1754. Virginia early in the ſpring of 1754. The Virginians applied to the other colonies for additional troops. Captain James Mackay with his independent company, upon the firſt order, marched with the utmoſt expedition from South Carolina to their aſſiſtance. Without waiting for two independent companies from New York, who were likewiſe ordered to aſſiſt them, the Virginians reſolved

reſolved by themſelves with Mackay's company, to oppoſe the French encroachments; and ſent off that and three hundred men raiſed by the colony, under the command of late major, but now colonel Waſhington. An engagement enſued between a party of French from fort *Du Queſne*, whom colonel Waſhington attacked and defeated, on the twenty-eighth of May; which put Mr. *de Villier* upon marching down againſt him with 900 men beſides Indians, and attacking him on the third of July. Waſhington made ſo brave a defence behind a ſmall incomplete entrenchment, called fort *Neceſſity*, that Villier ſeeing what deſperate men he had to deal with, and deſirous of ſaving his own, offered him an honorable capitulation; but the French officer was careful, in forming the articles, to throw the blame of the war upon the Britiſh, and to make it thought that they were the aggreſſors.

The lords commiſſioners for trade and plantations, had alſo recommended to the ſeveral colonies, to appoint commiſſioners to meet each other. Their lordſhips deſigned, that there ſhould be a general league of friendſhip, between all the colonies and the Indians, in his majeſty's name. The *Maſſachuſetts* general court not only acceded to the propoſal, but both houſes deſired his excellency, governor *Shirley*, "to pray his majeſty, April 10. that affairs which relate to the ſix nations and their allies, may be put under ſome general direction as his majeſty ſhall think proper; that the ſeveral governments may *be obliged* to bear their proportions of defending his majeſty's territories againſt the encroachments of the French, and the ravages and incurſions of the Indians."

July. A general meeting of the governors and chief men from ſeveral of the colonies, was held at *Albany*. At this congreſs, the commiſſioners were unanimouſly of opinion, that an *union of all the colonies* was abſolutely neceſſary for their common defence. The plan was, in ſhort, "That a grand council ſhould be formed of members to be choſen by the aſſemblies, and ſent from all the colonies; which council together with a governor general to be appointed by the crown, ſhould be empowered to make general laws, to raiſe money in all the colonies, for the defence of the whole." It was drawn up by Mr. *Hutchinſon*; was accepted, and ſent home. Had it been approved and eſtabliſhed, *Britiſh America* thought itſelf ſufficiently able to cope with the *French* without further aſſiſtance; ſeveral of the colonies, in former years, having alone withſtood the whole power of the enemy, unaſſiſted not only by the mother country, but by any of the neighbouring provinces. A *ſtamp act* was talked of among the commiſſioners, of which number was Mr. (now Dr.) *Franklin*, one of the three from Pennſylvania; and it was thought a proper mode of taxing; under the apprehenſion, that in its operation it would affect the ſeveral governments fairly and equally. The idea of a ſtamp act had been held out, ſo early as 1739, in two publications drawn up by a club of American merchants, at the head of whom were Sir *William Keith*, governor of Pennſylvania, Mr. *Joſhua Gee* and many others. They propoſed, for the protection of the Britiſh traders among the Indians, the raiſing a body of regulars, to be ſtationed all along the weſtern frontier of the Britiſh ſettlements; and that the expence ſhould be paid from the monies ariſing from a duty on ſtampt paper

paper and parchment in all the colonies, to be laid on them by act of parliament. The congreſs plan was not agreeable to the views of miniſtry; and another was propoſed—"That the governors of all the colonies, attended by one or two members of their reſpective councils, ſhould aſſemble, concert meaſures for the defence of the whole, erect forts where they judged proper, and raiſe what troops they thought neceſſary, with power to draw upon the Britiſh treaſury for the ſums that ſhould be wanted; and the treaſury to be re-imburſed by a tax laid on the colonies by act of parliament." When you are reminded, that the governors and councils were chiefly of the king's appointing, you will be apt to view the ſcheme, as a moſt ſubtile and dangerous contrivance, to provide for favorites, to ſap the liberties of the Americans, and eventually to chain them down to the moſt abject ſlavery. Had the congreſs plan met with the countenance of miniſtry, it might have been adopted after a while; though of that, it appeared, there could be no certainty; for when the governor laid it before the *Maſſachuſetts* aſſembly in October, the aſſembly determined, not to give it the leaſt countenance. The miniſterial plan was tranſmitted to governor *Shirley*, who was known to be for the Britiſh parliament's laying the tax. It was communicated by him to Mr. Franklin, then at his native place Boſton, who ſoon returned it with a few ſhort remarks, and the next day ſent the governor the following letter, *viz.*

"SIR, *Wedneſday morning, Dec.* 1754.

I mentioned it yeſterday to your excellency, as my opinion, that excluding the people of the colonies from all

all ſhare in the choice of the grand council, would probably give extreme diſſatisfaction, as well as the taxing them by an act of parliament, where they have no repreſentative. In matters of general concern to the people, and eſpecially where burdens are to be laid upon them, it is of uſe to conſider, as well what they will be apt to think and ſay, as what they ought to think; I ſhall therefore, as your excellency requires it of me, briefly mention what of either kind occurs to me on this occaſion.

Firſt, they will ſay, and perhaps with juſtice, that the body of the people in the colonies are as loyal, and as firmly attached to the preſent conſtitution and reigning family, as any ſubjects in the king's dominions:

That there is no reaſon to doubt the readineſs and willingneſs of the repreſentatives they may chooſe, to grant from time to time ſuch ſupplies for the defence of the country, as ſhall be judged neceſſary, ſo far as their abilities will allow:

That the people in the colonies, who are to feel the immediate miſchiefs of invaſion and conqueſt by an enemy, in the loſs of their eſtates, lives and liberties, are likely to be better judges of the quantity of forces neceſſary to be raiſed and maintained, forts to be built and ſupported, and of their own abilities to bear the expence, than the parliament of England at ſo great a diſtance:

That governors often come to the colonies merely to make fortunes, with which they intend to return to Britain; are not always men of the beſt abilities or integrity; have many of them no eſtates here, nor any natural connections with us, that ſhould make them heartily

tily concerned for our welfare; and might poſſibly be fond of raiſing and keeping up more forces than neceſſary, from the profits accruing to themſelves, and to make proviſion for their friends and dependants:

That the counſellors in moſt of the colonies being appointed by the crown, on the recommendation of governors, are often of ſmall eſtates, frequently dependent on the governors for offices, and therefore too much under influence:

That there is, therefore, great reaſon to be jealous of a power in ſuch governors and councils, to raiſe ſuch ſums as they ſhall judge neceſſary, by draft on the lords of the treaſury, to be afterward laid on the colonies by act of parliament, and paid by the people here; ſince they might abuſe it, by projecting uſeleſs expeditions, haraſſing the people, and taking them from their labors to execute ſuch projects, merely to create offices and employments, and gratify their dependants, and divide profits:

That the parliament of England is at a great diſtance, ſubject to be miſinformed and miſled by ſuch governors and councils, whoſe united intereſts might probably ſecure them againſt the effect of any complaint from hence:

That it is ſuppoſed to be an undoubted right of *Engliſhmen*, not to be taxed but by their own conſent given through their repreſentatives:

That the colonies have no repreſentatives in parliament:

That to propoſe taxing them by parliament, and refuſe them the liberty of chooſing a repreſentative council, to meet in the colonies, and conſider and judge of

the

the neceſſity of any general tax, and the quantum, ſhows a ſuſpicion of their loyalty to the crown, or of their regard for their country, or of their common ſenſe and underſtanding, which they have not deſerved:

That compelling the colonies to pay money without their conſent, would be rather like raiſing contributions in an enemy's country, than taxing *Engliſhmen* for their own public benefit:

That it would be treating them as a conquered people, and not as true Britiſh ſubjects:

That a tax laid by the repreſentatives of the colonies might eaſily be leſſened, as the occaſions ſhould leſſen; but being once laid by parliament, under the influence of the repreſentations made by governors, would probably be kept up, and continued for the benefit of governors, to the grievous burden and diſcouragement of the colonies, and prevention of their growth and increaſe:

That a power in governors to march the inhabitants from one end of the Britiſh and French colonies to the other, being a country of at leaſt 1,500 ſquare miles, without the approbation or conſent of their repreſentatives firſt obtained, might occaſion expeditions grievous and ruinous to the people, and would put them upon a footing with the ſubjects of France in Canada, that now groan under ſuch oppreſſion from their governor, who for two years paſſed, has haraſſed them with long and deſtructive marches to the Ohio:

That, if the colonies in a body may be well governed by governors and councils appointed by the crown without repreſentatives, particular colonies may as well, or better, be ſo governed: a tax may be laid on them all

by

by act of parliament for ſupport of government, and their aſſemblies be diſmiſſed as an uſeleſs part of the conſtitution;

That the powers propoſed by the *Albany* plan of union, to be veſted in a grand repreſentative council of the people, even with regard to military matters, are not ſo great as thoſe the colonies of *Rhode Iſland* and *Connecticut* are entruſted with by their charter, and have never abuſed: for by this plan, the preſident general is appointed by the crown, and controls all by his negative; but in theſe governments, the people chooſe the governor, and yet allow him no negative:

That the Britiſh colonies bordering on the French, are properly frontiers of the Britiſh empire; and the frontiers of an empire are properly defended at the joint expence of the body of the people in ſuch empire. It would now be thought hard, by act of parliament, to oblige the cinque ports, or ſea coaſts of Britain, to maintain the whole navy, becauſe they are more immediately defended by it; not allowing them at the ſame time, a vote in chooſing the members of parliament: and if the frontiers in America muſt bear the expence of their own defence, it ſeems hard to allow them no ſhare in voting the money, judging of the neceſſity and ſum, or adviſing the meaſures:

That beſides the taxes neceſſary for the defence of the frontiers, the colonies pay yearly great ſums to the mother country unnoticed; for taxes paid in Britain, by the landholder or artificer, muſt enter into and increaſe the price of the produce of land, and of manufactures made of it; and great part of this is paid by conſumers

in the colonies, who thereby pay a conſiderable part of the Britiſh taxes.

We are reſtrained in our trade with foreign nations; and where we could be ſupplied with any manufacture cheaper from them, but muſt buy the ſame dearer from Britain, the difference of price is a clear tax to Britain. We are obliged to carry great part of our produce directly to Britain; and wherein the duties there laid upon it leſſen its price to the planter, or it ſells for leſs than it would in foreign markets, the difference is a tax paid to Britain.

Some manufactures we could make, but are forbidden and muſt take of *Britiſh* merchants; the whole price of theſe is a tax paid to Britain.

By our greatly increaſing the demand and conſumption of Britiſh manufactures, their price is conſiderably raiſed of late years: their advance is clear profit to Britain, and enables its people better to pay great taxes; and much of it being paid by us, is a clear tax to Britain.

In ſhort, as we are not ſuffered to regulate our trade, and reſtrain the importation and conſumption of Britiſh ſuperfluities, (as Britain can the conſumption of foreign ſuperfluities) our whole wealth centres finally among the merchants and inhabitants of Britain; and if we make them richer, and enable them better to pay their taxes, it is nearly the ſame as being taxed ourſelves, and equally beneficial to the crown. Theſe kind of ſecondary taxes however, we do not complain of, though we have no ſhare in the laying or diſpoſing of them: but to pay immediate heavy taxes, in the laying, appropriation,

propriation, and diſpoſition of which we have no part, and which, perhaps, we may know to be as unneceſſary as grievous, muſt ſeem hard meaſure to *Engliſhmen*; who cannot conceive, that by hazarding their lives and fortunes, in ſubduing and ſettling new countries, extending the dominion, and increaſing the commerce of their mother nation, they have forfeited the native rights of *Britons*, which they think ought rather to be given them as due to ſuch merit, if they had been before in a ſtate of ſlavery. Theſe, and ſuch kind of things as theſe, I apprehend, will be thought and ſaid by the people, if the propoſed alteration of the Albany plan ſhould take place. Then the adminiſtration of the board of governors and councils ſo appointed, not having any repreſentative body of the people to approve and unite in its meaſures, and conciliate the minds of the people to them, will probably become ſuſpected and odious: dangerous animoſities and feuds will ariſe between the governors and governed, and every thing go into confuſion.

Perhaps I am too apprehenſive in this matter; but having freely given my opinion and reaſons, your excellency can judge better than I whether there be any weight in them; and the ſhortneſs of the time allowed me, will, I hope, in ſome degree, excuſe the imperfections of this ſcrawl.

With the greateſt reſpect and fidelity, I have the honor to be, your excellency's moſt obedient and moſt humble ſervant,

BENJAMIN FRANKLIN."

Theſe letters might be tranſmitted to, and might diſpoſe the miniſtry to decline urging their plan of uniting and governing the colonies; but Mr. Shirley wrote to governor *Wentworth* of *New Hampſhire*, May 31, 1755—" I may aſſure your excellency, from every letter I have of late received from Sir Thomas Robinſon, I have reaſon to think that his majeſty hath a dependance upon a *common fund's* being raiſed in all his colonies upon this continent, in proportion to their reſpective abilities, for defraying all articles of expence entered into for their common defence; and that ſuch an one muſt, in the end, be either voluntarily raiſed, or elſe aſſeſſed in ſome way or other." The miniſtry diſcovered a diſpoſition to raiſe a revenue in them, which induced the *Maſſachuſetts* general court thus to inſtruct their agent; " It is more eſpecially expected, that you oppoſe every thing that ſhall have the remoteſt tendency to raiſe a *revenue* in the plantations, for any public uſes or ſervices of government:" he wrote to them the twenty-ninth of May following, " The inclinations I have reaſon to think ſtill continue for *raiſing a revenue* out of the molaſſes trade." The alarming ſtate of public affairs might divert the miniſtry from purſuing their inclinations.

Nov. 6.

It had been concluded to take effectual meaſures for driving the *French* from the *Ohio*; and for the reduction of *Niagara*, *Crown Point*, and their forts in *Nova Scotia*. General *Braddock* was accordingly ſent from Ireland to Virginia, with two regiments of foot; and when arrived, and joined by the reſt of the forces deſtined for that ſervice, found himſelf at the head of about 2,200 men.

men. He had bravery, but wanted other qualifications to render him fit for the ſervice to which he was appointed. His ſeverity prevented his having the love of the regulars: his haughtineſs, the love of the Americans; and what was worſe, diſguſted the Indians, and led him to deſpiſe the country militia, and to ſlight the advice of the Virginia officers. Colonel *Waſhington* earneſtly begged of him, when the army was marching for fort *du Queſne*, to admit of his going before, and ſcouring the woods with his rangers, which was contemptuouſly refuſed. The general had been cautioned by the duke of *Cumberland*, to guard againſt a ſurpriſe; and yet he puſhed on heedleſsly with the firſt diviſion, conſiſting of 1400 men, till he fell into an ambuſcade of 400, chiefly Indians, by whom he was defeated and mortally wounded, on the ninth of July. The regulars were put into the greateſt panic, and fled in the utmoſt confuſion: the militia had been uſed to Indian fighting, and were not ſo terrified. The general had diſdainfully turned them into the rear: they continued in a body, unbroken, and ſerved under colonel *Waſhington* as a moſt uſeful rear-guard; covered the retreat of the regulars, and prevented their being entirely cut off. 1755. July 9.

Previous to this, and agreeable to the views of the Britiſh miniſtry, the *Maſſachuſetts* aſſembly, who had never been remiſs upon the proſpect of a French war, raiſed a body of troops, which were ſent to *Nova Scotia*, to aſſiſt lieutenant governor *Lawrence* in driving the French from their ſeveral encroachments within that province. The ſecrecy and diſpatch uſed in this ſervice was rewarded with ſucceſs.

The expedition againſt Niagara was entruſted with governor Shirley; but failed through various cauſes.

Sir *William* (then colonel) *Johnſon* was appointed to go againſt Crown Point. The delays, ſlowneſs, and deficiency of preparations, prevented the ſeveral colonies joining their troops till about Auguſt. Meanwhile the active enemy had tranſported forces from *France* to *Canada*, marched them down to meet the provincials, and attacked them; but, meeting with a repulſe, loſt ſix hundred men, beſides having their general baron *Dieſkau*, wounded and made priſoner.

The *Maſſachuſetts* the next year, raiſed a great armament to go againſt *Crown Point*; but Lord *Loudon* on his arrival, did not think it proper that the forces ſhould proceed. Afterward a temporary miſunderſtanding took place between his lordſhip and the general court; from his apprehending, that they thought a provincial law neceſſary to enforce a Britiſh act of parliament, and were willing to diſpute upon that ſubject. He determined to have no diſpute, but that the troops under his command ſhould be quartered agreeable to what he thought the public good required; and wrote to governor *Pownall*,

1757. Nov. 15. "I have ordered the meſſenger to wait but 48 hours in *Boſton*; and if, on his return, I find things not ſettled, I will inſtantly order into *Boſton* the three battalions from New York, Long Iſland, and Connecticut; and if more are wanted, I have two in the Jerſeys at hand, beſide three in Pennſylvania." Notwithſtanding this declaration, on December the ſixth, the legiſlature paſſed an act, which led him to conceive, that he was under an abſolute neceſſity of ſettling the point at once, and therefore he ordered the troops to march. The general

court

court finding how matters were going, did not venture upon extremities, but became pliable; ſo that his lordſhip wrote, December 26, "As I can now depend upon the aſſembly's making the point of quarters eaſy in all time coming, I have countermanded the march of the troops." The general court were certainly terrified; and to remove all unfavorable impreſſions, ſaid in the cloſe of their addreſs to the governor, "The authority of all acts of parliament, which concern the colonies, and extend to them, is ever acknowledged in all the courts of law, and made the rule of all judicial proceedings in the province. There is not a member of the general court, and we know no inhabitant within the bounds of the government, that ever queſtioned this authority. To prevent any ill conſequences that may ariſe from an opinion of our holding ſuch principles, we now utterly diſavow them, as we ſhould readily have done at any time paſt, if there had been occaſion for it; and we pray that his lordſhip may be acquainted therewith, that we may appear in a true light, and that no impreſſions may remain to our diſadvantage." However they might not queſtion, whether the authority of acts of parliament, concerning and extending to the colonies, was made the rule of all *judicial* proceedings in the province; yet you are not to infer from their diſavowal of the contrary principle, that they admitted the right of parliament, either to impoſe internal taxes, or to control their colonial government. 1758. Jan. 6.

When, happily for the Britiſh nation, the great Mr. *Pitt* was placed at the head of the miniſtry, the face of affairs was ſoon changed; the war was proſecuted with unexampled ſucceſs, and the enemy at length driven out

of *America*. But the frequent delays given to the raiſing of the neceſſary ſupplies, eſpecially in the proprietary governments, through the refuſal of their governors or councils, to admit that the eſtates of the proprietors ſhould be taxed, led Mr. *Pitt* to tell Mr. *Franklin*, that when the war cloſed, was he in the miniſtry, he ſhould take meaſures to prevent its being in the power of the colonies, to hinder government's receiving the ſupplies that were wanted; and he added, that, was he not in the miniſtry, he would adviſe his ſucceſſors to do it. What theſe meaſures were, he did not mention. But
1760. toward the cloſe of 1759, or the beginning of 1760, Mr. *Pitt* wrote to *Francis Fauquier* eſq; lieutenant governor of *Virginia*, and mentioned in his letter, that though they had made grants to the colonies, yet, when the war was over, they ſhould tax them in order to *raiſe a revenue* from them. Mr. *Fauquier*, in his anſwer, expreſſed his apprehenſion, that the meaſure would occaſion great diſturbance. The anſwer might divert Mr. Pitt from his intention. Many months before, the preſent Lord *Camden* then Mr. *Pratt*, ſaid to Mr. *Franklin*, in a courſe of free converſation, "For all what you *Americans* ſay of your loyalty, I know you will one day throw off your dependence upon this country; and, notwithſtanding your boaſted affection to it, will ſet up for independence." The other anſwered, "No ſuch idea is entertained in the mind of the *Americans*; and no ſuch idea will ever enter their heads, unleſs you groſsly abuſe them." "Very true, (replied Mr. *Pratt*) that is one of the main cauſes I ſee will happen, and will produce the event."

The

The colonies in general, and the Maſſachuſetts in particular, complied with the requiſitions of the miniſter, and ſhowed themſelves ready to ſupport his plans for the reduction of the French power. To aſſiſt and encourage their extraordinary exertions, the parliament granted them during the war, at different periods, no leſs than £. 1,031,666. 13s. 4d. But though the large importation of ſpecie annually, did not anſwer one half of their expences, it was ſtill of ſuch benefit to each government, that they cheerfully ſeconded the views of miniſtry. Upon application from admiral *Saunders*, the ſquadron employed againſt *Louiſburgh* and *Quebec*, was ſupplied by 500 ſeamen from the *Maſſachuſetts*; beſide, many were at ſeveral times impreſſed out of veſſels on the fiſhing banks. The colonies loſt by the war, 25,000 of their robuſt young men, excluſive of ſailors. The *Maſſachuſetts* continually raiſed the full number of troops aſſigned them: nor was it to be aſcribed to the peculiar addreſs of Mr. *Pownall*, who guided them with a ſilken cord, and by praiſing them plentifully, and flattering their vanity, did buſineſs with them in an eaſy manner; for it was the ſame, after he was ſucceeded by governor *Bernard*. Beſide their annual quota of men, in ſome years of the war they garriſoned Louiſburgh and Nova Scotia, which gave the regular forces opportunity for retaining Canada. The whole coſt they were at upon theſe accounts, and for ſcouting companies ſent into the Indian country, and for two armed veſſels built and maintained for the protection of the trade, amounted to £. 754,598. 10s. 10d½ ſterling. In this ſum, the expence of many forts and garriſons on the frontiers is not included. Add, that no eſtimate can be made

1760. Aug. 13.

made of the coſt to individuals, by the demand of perſonal ſervice. They that could not ſerve in perſon, who were much the greater number, when it came to their turn, were obliged to hire ſubſtitutes at a high premium. They alſo who could not be impreſſed, to lighten the burdens of others, advanced largely for encouraging the levies. Moreover, the taxes were exceeding heavy. A Boſton gentleman, of reputation and fortune, ſent one of his rate bills to a correſpondent in London, for his judgment on it; and had for anſwer, "That he did not believe there was a man in all *England*, who paid ſo much in proportion toward the ſupport of government." Such was the aſſeſſment of the town in one of the years, that if a man's income was £.60 per annum, he had to pay two thirds or £.40, and in that proportion whether the ſum was more or leſs; and if his houſe or land was valued at £.200 per annum, he was obliged to pay £.72. He had alſo to pay for his poll, and thoſe of all the males in his houſe, more than 16 years old, at the rate of 14*s.* 3*d.* each: and to all muſt be added, the part he paid of the exciſe on tea, coffee, rum, and wine *. Other towns and colonies might not have been aſſeſſed ſo exorbitantly, but ſome muſt certainly have been burdened with taxes.

The above ſtatement of expences is thought to be more correct than what gov. Bernard tranſmitted, in his letter of Auguſt 1, 1764, to the lords of trade, in which he wrote, "From 1754 to 1762, the ſums iſſued amount to £.926,000 ſterling; out of which deduct, received by parliamentary grant, £.328,000; and the ordinary

* Dr. Chauncy's thankſgiving ſermon for the repeal of the ſtamp-act in a note.

expences

expences of government eſtimated at £. 108,000, there remains £. 490,000, that is near £. 500,000 ſterling expended by this province in the extraordinary charges of the war within eight years. An immenſe ſum for ſuch a ſmall ſtate! the burden of which has been grievouſly felt by all orders of men. Whereas if we compare this with the ſouthern governments, Pennſylvania for inſtance, which has expended little more than they have received from parliament, and Maryland which has expended ſcarce any thing at all, we cannot ſufficiently admire the inequality of the burden between one province and another. And when Pennſylvania has not been prevented by domeſtic diſſenſions, and have as it were done their beſt, they have ſent to the field only 2,700 men, when this province has ſent 5,000—5,500, and one year 7,000. And notwithſtanding the vaſt ſums this province has raiſed, it has, by ſevere taxations, kept its debt under."

The firſt part of governor *Bernard*'s adminiſtration was agreeable to the *Maſſachuſetts* general court. The two houſes, in anſwer to his ſpeech, ſaid, "It gives us pleaſure to ſee, that the civil rights of the people are not in danger; nor are we in the leaſt degree ſuſpicious, that they ever will be under your excellency's adminiſtration. The experience we have had of your excellency's diſpoſition and abilities, encourage us to hope for a great ſhare of public happineſs under your adminiſtration." 1761. May

The next year, the governor told them, at the cloſe of the ſeſſion, "The unanimity and diſpatch with which you have complied with the requiſitions of his majeſty, require my particular acknowledgment." 1762. April 23.

In his ſpeech to the new court, he ſaid, "Every thing that May 27.

that has been required of this province, has been moſt readily complied with."

1763. May 31. Both houſes, in their addreſs to him, expreſſed themſelves thus: "We congratulate your excellency upon that unanimity, which your excellency recommends, and which was never greater in the province than at this time." The governor at the cloſe of the ſeſſion, declared his great ſatisfaction in having obſerved, that the unanimity they aſſured him of, had fully evidenced itſelf throughout all their proceedings. But the lieutenant governor Mr. *Hutchinſon*, gained after a while too much aſcendency over him, and encouraged him in the purſuit of wrong meaſures, highly offenſive to the colony. He had indeed done him an irreparable injury, not long after his coming to the chair. Colonel *James Otis* (who was repeatedly returned for *Barnſtaple* in *Plymouth* county, notwithſtanding the ſtrenuous efforts which had been made to prevent it, on account of his ſiding with government) being a lawyer, had been promiſed by Mr. Shirley, when in the chair, to be made a judge of the ſuperior court, upon an opportunity's offering. The firſt vacancy which happened, was filled up by the appointment of the ſecretary's ſon in law; for which Mr. Shirley apologized, by pleading a promiſe made to the ſecretary, and his having forgotten the former one. Mr. Otis was ſatisfied with a freſh aſſurance of the next vacancy, which was conſidered by him in the light of a governmental promiſe; and it was expected that whenever a new vacancy happened, Mr. Otis would be appointed. There was no new vacancy till a ſhort time after governor Bernard entered upon his adminiſtration, when chief juſtice *Sewall* died. Upon this

this death, Mr. *James Otis* the ſon, of whom there will be a call to make frequent mention, expreſſed himſelf as follows: "If governor Bernard does not appoint my father judge of the ſuperior court, I will kindle ſuch a fire in the province as ſhall ſinge the governor, though I myſelf periſh in the flames." Mr. Hutchinſon however, hurried to Mr. Bernard, procured a promiſe, which being once given the governor would not retract, and got himſelf appointed chief juſtice, by which he gratified both his ambition and covetouſneſs, his two ruling paſſions. The friends of government regretted the appointment, foreboding the evils it would produce. The governor loſt the influence and ſupport of colonel Otis. The ſon quitted the law-place he held; would never be perſuaded to reſume it, or to accept of another; joined himſelf to the party which was jealous that the views of adminiſtration were unfavorable to the rights of the colony, and ſtood ready to oppoſe all encroachments; and ſoon became its chief leader. He ſignalized himſelf, by pleading in a moſt maſterly manner, againſt granting *writs of aſſiſtance* to cuſtom-houſe officers. Theſe writs were to give them, their deputies, &c. a general power to enter any houſes, &c. that they would *ſay they ſuſpected*. The cuſtom-houſe officers had received letters from home, directing them to a more ſtrenuous exertion in collecting the duties, and to procure writs of aſſiſtance. The idea of theſe writs excited a general alarm. A ſtrong jealouſy, of what might be eventually the effect of them upon the liberties of the people, commenced. They might prove introductory to the moſt horrid abuſes; which the meaneſt deputy of a deputy's deputy might practiſe with impunity, upon a mer-

a merchant or gentleman of the firſt character; and there would be the greater danger of ſuch abuſes, by reaſon of the immenſe diſtance of the ſcene of action from the ſeat of government. The voice of the complainant would not be heard three thouſand miles off, after the ſervants of government had deafened the ears of adminiſtration by miſrepreſentations. From this period may be dated, the fixed, uniform, and growing oppoſition, which was made to the miniſterial plans of encroaching upon the original rights and long eſtabliſhed cuſtoms of the colony. In 1761, the officers of the cuſtoms applied to the ſuperior court for ſuch writs. The great oppoſition that was made to it, and the arguments of Mr. *Otis*, diſpoſed the court to a refuſal; but Mr. *Hutchinſon*, who had obtained the place of chief juſtice, prevailed with his brethren to continue the cauſe till next term; and in the mean time, wrote to England, and procured a copy of the writ, and ſufficient evidence of the practice of the exchequer there, after which like writs were granted. But before this was effected, Mr. *Otis* was choſen one of the repreſentatives for *Boſton*, by the influence of the friends to liberty; whoſe jealouſies there and elſewhere, afterward increaſed apace, upon hearing that the Britiſh officers inſiſted frequently upon the neceſſity of regulating and *reforming*, as they ſtiled it, the colonial governments; and that certain travellers were introduced to particular perſons with a—

1762. "This is a gentleman employed by the earl of *Bute* to travel the country, and learn what may be proper to be done, in the grand plan of *reforming* the *American governments*." It was underſtood, that their buſineſs was to make thorough obſervation upon the ſtate of the

country, that ſo the miniſtry might be enabled to judge what regulations and alterations could ſafely be made in the police and government of the colonies, in order to their being brought more effectually under the government of parliament. They were alſo as much as poſſible, to conciliate capital and influential characters, to miniſterial meaſures ſpeedily to be adopted. The Britiſh miniſtry have been greatly miſtaken, in ſuppoſing it is the ſame in *America* as in their own country. Do they gain over a gentleman of note and eminence in the colonies, they make no conſiderable acquiſition. He takes few or none with him; and is rather deſpiſed, than adhered to by former friends. He has not, as in Britain, dependants who muſt act in conformity to his nod. In *New England* eſpecially, individuals are ſo independent of each other, that though there may be an inequality in rank and fortune, every one can act freely according to his own judgment.

But nothing, it may be, excited a greater alarm in the breaſts of thoſe to whom it was communicated, than the following anecdote, viz. The Rev. Mr. *Whitefield*, ere he left *Portſmouth* in *New Hampſhire*, on Monday afternoon, April the ſecond 1764, ſent for Dr. *Langdon* and Mr. Haven, the congregational miniſters of the town, and upon their coming and being alone with him, ſaid, "I can't in conſcience leave the town without acquainting you with a ſecret. My heart bleeds for *America*. O poor *New England!* There is a deep laid plot againſt both your civil and religious liberties, and they will be loſt. Your golden days are at an end. You have nothing but trouble before you. My information comes from the beſt authority in *Great Britain*. I was 1764. April 2.

allowed

allowed to ſpeak of the affair in general, but enjoined not to mention particulars. Your liberties will be loſt*." Mr. Whitefield could not have heard what the commons did in the preceding month; his information muſt have been of an earlier date, and might have been communicated before he left Great Britain. Beſide the general deſign of taxing the colonies, the plan was probably, this in ſubſtance—Let the parliament be enaged to enter heartily and fully into American matters; and then under its ſanction, let all the governments be altered, and all the councils be appointed by the king, and the aſſemblies be reduced to a ſmall number, like that of New York. After that, the more effectually to ſecure the power of civil government by the junction of church influence, let there be a reviſal of all the acts in the ſeveral colonies, with a view of ſetting aſide thoſe in particular, which provide for the ſupport of the miniſters. But if the temper of the people makes it neceſſary, let a new bill for the purpoſe of ſupporting them paſs the houſe, and the council refuſe their concurrence; if that will be improper, then the governor to negative it. If that cannot be done in good policy, then the bill to go home, and let the king diſallow it. Let biſhops be introduced, and proviſion be made for the ſupport of the epiſcopal clergy. Let the congregational and preſbyterian clergy, who will receive epiſcopal ordination, be ſupported; and the leading miniſters among them be bought off by large ſalaries. Let the liturgy be reviſed and altered. Let epiſcopacy be accommodated as much as poſſible to the caſt of the people. Let places of

* Dr. Langdon told it me in converſation; and afterward mentioned it in his ſermon preached before the convention of the miniſters.

power,

power, truſt and honor be conferred only upon epiſcopalians, or thoſe that will conform. When epiſcopacy is once thoroughly eſtabliſhed, increaſe its reſemblance to the Engliſh hierarchy, at pleaſure.

Theſe were the ideas, which a certain gentleman communicated to Dr. Stiles *, when they were riding together in 1765. The Doctor, after hearing him out, expreſſed his belief, that before the plan could be effected, ſuch a ſpirit would be rouſed in the people, as would prevent its execution. The good man groaned and replied, "If the commotions now exiſting prevail on the parliament to repeal the ſtamp-act, I am afraid the plan cannot be accompliſhed."

In reference to alterations in the civil line, Dr. Langdon informed me, that governor *Wentworth* told him, the *Maſſachuſetts* and *New Hampſhire* were to be one government under one governor: the Doctor thought the deſign of joining *Rhode Iſland* with them was alſo mentioned, though of this he could not be certain. The *New England* colonies would have ſuffered moſt by the propoſed alterations, while they deſerved it the leaſt, and were entitled for their ready exertions, to a return expreſſive of gratitude. Many of the common ſoldiers, who gained ſuch laurels, by their ſingular bravery on the plains of Abraham, when Wolfe died in the arms of victory, were natives of the Maſſachuſetts-bay. When Martinico was attacked in 1761, and the Britiſh force was greatly weakened by death and ſickneſs, the timely arrival of the New England troops, enabled the former to proſecute the reduction of the iſland to an happy iſſue. A great part of the Britiſh force being about to

* Now preſident of Yale College in Connecticut.

ſail from thence for the Havannah, the New Englanders, whoſe health had been much impaired by ſervice and the climate, were ſent off in three ſhips, to their native country for recovery. Before they had completed their voyage, they found themſelves reſtored, ordered the ſhips about, ſteered immediately for the Havannah, arrived when the Britiſh were too much reduced to expect ſucceſs, and by their junction ſerved to immortalize afreſh, the glorious firſt of Auguſt, old ſtile, in the ſurrender of the place on that memorable day: they exhibited, at the ſame time, the moſt ſignal evidence of devotedneſs to the parent ſtate. Their fidelity, activity, and courage, were ſuch as to gain the approbation and confidence of the Britiſh officers *.

As to the religious part of the plan, recollect what has been already mentioned of archbiſhop *Secker*; carefully peruſe Dr. *Mayhew*'s noted anſwer to one of his publications, and what is related concerning him in the collection of papers above quoted; and you will ſcarce doubt, "but that it was the metropolitan's intention to reduce all the Britiſh colonies under epiſcopal authority." Remember alſo, that the biſhop of *Landaff* in his ſermon of 1766, aſſures us, that *the eſtabliſhment of epiſcopacy* being obtained, "the *American* church will go out of its infant ſtate; be able to ſtand upon its own legs; and, without foreign help, ſupport and ſpread itſelf; and *then this ſociety will be brought to the happy iſſue intended.*" Mr. Whitefield ſaid upon it, in his letter to Dr. *Durell*, "ſuppoſing his lordſhip's aſſertions true, then I fear it will follow, that a ſociety, which ſince its firſt inſtitution

* From Brooke Woodcock eſq. of Saffron Walden, who ſerved at the taking of Belleiſle, Martinico, and the Havannah.

hath

hath been looked upon as *a ſociety for propagating the goſpel*, hath been all the while rather *a ſociety for propagating epiſcopacy in foreign parts.*"

This letter will cloſe with a few more articles of information. Among the original inſtructions to *Benning Wentworth* eſq; governor of *New Hampſhire*, ſigned June 30th 1761, the 27th ſays, "You are not to give your aſſent to, or paſs any law impoſing duties on negroes imported into *New Hampſhire*:" ſome of the colonies were for diſcouraging the introduction of negroes; for which purpoſe they wiſhed to lay a duty upon them. The 69th contains the following direction, "No ſchool-maſter to be henceforth permitted to come from *England* without the licence of the biſhop, and no other perſon now there, or that ſhall come from other parts, ſhall be admitted to keep ſchool without your licence firſt obtained."

A law paſſed in the *Maſſachuſetts* entitled, "An act to incorporate certain perſons, by the name of *The ſociety for promoting Chriſtian Knowledge among the Indians in North America*; but was diſallowed at the court of *St. James's* the 20th of May 1763. Mr. *Jaſper Mauduit* in his letter to Mr. *Bowdoin* of April 7, 1763, writes, "So long ago as the 10th of December, I was told at the plantation office, that this act was oppoſed by the archbiſhop and the ſociety for propagating the goſpel. Mr. *Pownall* told me, that the bill would not paſs; that the lords would not diſpute the laudableneſs of the deſign, but there were political reaſons for not confirming it; that the people might apply the money to oppoſe the miſſionaries of the church of England. I anſwered, I wiſhed that the ſociety for propa- 1762 Feb.

gating the gospel had employed their missionaries more among the Indians, than they had hitherto done in *North America.*" From what passed, the real reasons for disallowing the bill may be gathered.

LETTER III.

Roxbury, Dec. 24, 1772.

1763. MR. *Israel Mauduit*, the *Massachusetts* agent, gave early notice of the ministerial intentions to tax the colonies; but the general court not being called together till the latter end of the year, instructions to the agent, though solicited by him, could not be sent in season.

1764. The house of representatives came to the following resolutions—"That the sole right of giving and granting the money of the people of that province, was vested in them as their legal representatives; and that the imposition of duties and taxes by the parliament of Great Britain, upon a people who are not represented in the house of commons, is absolutely irreconcileable with their rights."—"That no man can justly take the property of another without his consent; upon which original principle, the right of representation in the same body which exercises the power of making laws for levying taxes, one of the main pillars of the *British constitution*, is evidently founded."

These

Theſe reſolutions were occaſioned by intelligence of what had been done in the Britiſh houſe of commons. It had been there debated in March, whether they had a *right* to tax the *Americans*, they not being repreſented, and determined unanimouſly in the affirmative. Not a ſingle perſon preſent ventured to controvert the *right*. Soon after, the ſugar or molaſſes act was paſſed: and April 5. "it is certainly true, that till then, no act avowedly for the purpoſe of revenue, and with the ordinary title and recital taken together, is found in the ſtatute book. All before ſtood on *commercial* regulation and reſtraints *." It is ſtiled "an act for granting certain duties in the Britiſh colonies and plantations in America, for continuing amending and making perpetual an act paſſed in the ſixth year of George the ſecond, (entitled an act for the better ſecuring and encouraging the trade of his majeſty's colonies in America) for applying the produce of ſuch duties, *&c.*" From its perpetuating the ſugar act of George II. it is called the ſugar or molaſſes act. It runs thus, "Whereas it is expedient, that new proviſions and regulations ſhould be eſtabliſhed in improving the revenue of this kingdom, and for extending and ſecuring the navigation and commerce between Great Britain and your majeſty's dominions in America—And whereas it is juſt and neceſſary, that a *revenue* be raiſed in *America* for defraying the expences of defending, protecting, and ſecuring the ſame—We the commons, *&c.* toward raiſing the ſame, give and grant unto your majeſty after the 29th of September 1764, upon clayed ſugar, indigo and coffee of foreign produce—upon all wines except French—upon all

* Mr. Burke's ſpeech on American taxation, April 19, 1774.

wrought ſilks, Bengals and ſtuffs mixed with ſilk of Perſia, China, or Eaſt-India manufacture—and all callicoes painted, printed, or ſtained there (certain ſpecified duties)—upon every gallon of molaſſes and ſirups, being the produce of a colony not under the dominion of his majeſty, the ſum of three-pence—the monies ariſing, after charges of raiſing, collecting, *&c.* are to be paid into the receipt of his majeſty's Exchequer—ſhall be entered ſeparate, and be reſerved to be diſpoſed of by parliament, toward defraying the neceſſary expences of defending *&c.* the Britiſh colonies." The wording of the act might induce the colonies to view it as the beginning of ſorrows; and they might fear that the parliament would go on in charging them with ſuch taxes as it pleaſed, for ſuch military force as it ſhould think proper. This ill proſpect ſeemed to the Americans, boundleſs in extent, and endleſs in duration.

They objected not to the *parliament's right of laying duties to regulate commerce:* but the *right of taxing them* was not admitted. The miniſterial plan, ſent to Mr. Shirley in 1754, occaſioned much converſation on the ſubject, and the common opinion was, that the parliament could not tax them, till duly repreſented in that body, becauſe it was not juſt, nor agreeable to the nature of the Engliſh conſtitution. But though few or none were willing to admit the *right*; the generality were cautious how they denied the *power*, or the obligation to ſubmit on the part of the Americans, when the power was exerciſed. Even Mr. *Otis* tells us, "We muſt and ought to yield obedience to an act of parliament,

ment, though erroneous, till repealed *." "The power of parliament is uncontrollable, but by themſelves, and we muſt obey. There would be an end of all government, if one or a number of ſubordinate provinces ſhould take upon themſelves, ſo far to judge of the juſtice of an act of parliament, as to refuſe obedience to it. If there was nothing elſe to reſtrain ſuch a ſtep, prudence ought to do it, for forcibly reſiſting the parliament and the king's laws is high treaſon. Therefore let the parliament lay what burthens they pleaſe upon us, we muſt, it is our duty to ſubmit, and patiently to bear them, till they will be pleaſed to relieve us †." He went ſo far as to publiſh, "It is certain that the parliament of Great Britain has a juſt and equitable right, power and authority, to impoſe taxes on the colonies, internal and external, on lands as well as on trade ‡." "The ſupreme legiſlative repreſents the whole ſociety or community, as well the dominions as the realm. This is implied in the idea of a ſupreme power; and if the parliament had not ſuch an authority, the colonies would be independent §." But the two laſt quotations were extorted from him, through fear of being called to an account for the part he had acted, or for what he had before advanced in print, converſation, or debate. His firſt pamphlet, *The rights of the* BRITISH *colonies*, which had been twice read over in the houſe of aſſembly within the ſpace of five days, though guarded by ſome expreſſions, had a ſtrong tendency to excite a powerful oppoſition to miniſterial plans; eſpecially where he ſays, "I cannot but obſerve

* Otis's Rights of the Britiſh Colonies, p. 57.
† Ibid. p. 59.
‡ His Vindication of the Britiſh Colonies, p. 4.
§ Ibid. p. 21.

here, that if the parliament have an equitable right to tax our trade, it is indiſputable, that they have as good a one to tax the lands and every thing elſe. There is no foundation for the diſtinction ſome make in England, between an internal and external tax on the colonies *." Theſe expreſſions could not but ſpread a general alarm through the country, and inflame every planter againſt parliamentary taxation. The houſe had ſo high an opinion of this pamphlet, that they ordered it to be ſent over to Mr. *Mauduit* with a letter, wherein they inſtructed him to uſe his endeavours to obtain a repeal of the ſugar act, and to exert himſelf to prevent a ſtamp act, or any other impoſitions and taxes, upon this and the other American provinces. They do not appear to have made any particular objection to the term *revenue* introduced into the ſugar act; but to have confined their objections to the laying on of the duty, when they were not repreſented.

The act diſguſted the more, becauſe of its being ſo unſeaſonable. The duties were to be paid in ſpecie, while the old means of procuring it were cut off. The miniſtry, reſolved to prevent ſmuggling, obliged all ſea officers ſtationed on the American coaſts, to act in the capacity of the meaneſt revenue officers, making them ſubmit to the uſual cuſtom-houſe oaths and regulations for that purpoſe. This proved a great grievance to the American merchants and traders. Gentlemen of the navy were unacquainted with cuſtom-houſe laws. Many illegal ſeizures were made. No redreſs could be had but from Britain; which it was tedious and difficult to obtain. Beſide, the *American* trade with the *Spaniards*,

* Otis's Rights of the Britiſh Colonies, p. 63.

by

by which the Britiſh manufactures were vended in return (for gold and ſilver in coin or bullion, cochineal, &c. as occaſion ſerved) was almoſt deſtroyed inſtantly, by the armed ſhips under the new regulations. The trade was not literally and ſtrictly according to law, but highly beneficial; and a thorough ſtateſman would have declined employing his own navy in cruſhing it. The trade alſo from the northern colonies with the *French Weſt-India* iſlands was nearly ſuppreſſed. Theſe irritating meaſures ſtrengthened the oppoſition to the ſugar act.

The *Maſſachuſetts* aſſembly, who were the firſt repreſentative body that took the act into conſideration, ordered, that Mr. *Otis* and four others of the houſe ſhould be a committee in the receſs of the court, to write to the other governments, and acquaint them with the inſtructions voted to be ſent to their agent; and that the ſaid committee, in the name and behalf of the houſe, ſhould deſire the ſeveral aſſemblies on the continent to join with them in the ſame meaſures. The committee attended to the buſineſs: and the end propoſed by it was anſwered: committees were moreover appointed by divers other colonies to correſpond with the ſeveral aſſemblies, or committees of aſſemblies on the continent. Thus a new kind of correſpondence was opened between the colonies, tending to unite them in their operations againſt miniſterial encroachments on their privileges; and which proved of great advantage to them afterward. June 13.

At the next ſeſſion a committee was appointed to conſider the ſtate of the province, as it might be affected, by certain duties and taxes laid and propoſed to be laid by acts of parliament upon the colonies. The conſequence was, a committee of the council and houſe to prepare an Oct. 24.

addreſs

addreſs to the parliament. The lieutenant governor, Mr. *Hutchinſon*, who was of the council, was chairman, but declined drawing up any. Several were propoſed, which expreſſed in ſtrong terms an excluſive right in the aſſembly to impoſe taxes. He urged the indecency and bad policy, when they had the reſolutions of the houſe of commons before them, of ſending an addreſs aſſerting, in expreſs words, the direct contrary. Many days having been ſpent upon the buſineſs, at the deſire of the committee, he drafted an addreſs, which conſidered the *ſole power* of taxation as an indulgence of which they prayed the continuance, and it was *unanimouſly* agreed to. The petition does not intimate the leaſt denial of the right of parliament to tax them; but ſets forth the impolicy of the laws and the hardſhips brought upon the petitioners, and prays that they may be relieved from the burdens brought upon them by the ſugar act; that the privileges of the colonies relative to their internal taxes, which they have ſo long enjoyed, may be ſtill continued; or that the conſideration of ſuch taxes as are propoſed to be laid upon the colonies, may be referred, until the petitioners, in conjunction with the other governments, can have an opportunity to make a full repreſentation of the ſtate and condition of the colonies, and the intereſt of Great Britain with regard to them. The proceeding of the general court was approved of out of doors, until the copy of the *New York* addreſs was received, which was ſo high, that many of the friends of liberty were mortified at their own conduct, and if poſſible would gladly have recalled their own doings *.

* Mr. Hutchinſon's letter of March 8, 1766.

The

The Maſſachuſett's petition was forwarded by gover- Nov.
nor Bernard, and accompanied with a letter to lord 18.
Halifax; in which he wrote, "Maſſachuſetts is the only one of the old colonies, that I know of, that enjoys a ſpecie currency. This reflects great honor upon the province itſelf, as it is a great inſtance of their prudence, who took hold of a ſingular opportunity to deſtroy their paper money, which other colonies who had it equally in their power neglected. But I fear, that if the great ſums, which are expected to be raiſed in America are to be tranſported to Great Britain, there will ſoon be an end of the ſpecie currency of the Maſſachuſetts; which will be followed by a total diſcouragement for other provinces to attempt the ſame in future. In which caſe, perpetual paper money, the very negative power of riches, will be the portion of America." After arguing againſt the duties, from America's being unable, for want of a ſufficient ſpecie currency, to pay them without being drained of their ſpecie, as it would require a dead ſtock of three years value of the annual income of the revenues, he added, "If due care be taken to confine the ſale of manufactures and European goods (except what ſhall be permitted) to Great Britain only, all the profits of the American foreign trade will neceſſarily centre in Great Britain; and therefore if the firſt purpoſe is well ſecured, the foreign American trade is the trade of Great Britain. The augmentation and diminution, the extenſion and reſtriction, the profit and loſs of it all, finally comes home to the mother country. It is the intereſt of Great Britain, that the trade to both the Spaniſh and French Weſt Indies ſhould be encouraged as much as may well be, and the Britiſh Weſt

Indies ſhould be taught that equitable maxim, *live and let live.*" It appeared to be the decided opinion of the governor, that the ſending home the produce of the duties and taxes propoſed, would take from the Americans the means of trade, and render it impracticable for them to make remittances to Great Britain.

The *Virginia* council and houſe of burgeſſes petitioned the king, preſented a memorial to the houſe of lords, and remonſtrated to the houſe of commons. *New York, Rhode Iſland,* &c. petitioned. The *New York* petition was conceived in ſuch ſtrong terms, and deemed ſo inflammatory, that their agent could not prevail on any one member of the houſe to preſent it.

The colonies denied the *parliamentary right of taxation* many months before any member of the Britiſh parliament uttered a ſingle ſyllable to that purpoſe: and the American oppoſition to the ſtamp-act was fully formed before it was known by the coloniſts, that their cauſe was eſpouſed by any man of note at home, as *Britain* is ſtiled.

Beſide the colonial proceedings related above, it muſt be noted, that the inhabitants of ſeveral places met and agreed, not to buy any clothing (they could do without) which was not of their own manufacturing. Divers aſſociations alſo were formed, all of whom reſolved to conſume as few Britiſh manufactures as poſſible.

The raiſing of a revenue from the molaſſes trade, and a fund to defray the expences of defending the colonies, were in contemplation nine years before *; but the reſolutions taken by the houſe of commons, in the be-

* Mr. agent Bollan's letters of that date to the Maſſachuſett's general court.

ginning

ginning of this year, might be forwarded by Mr. *Huſke*, an *American*, a native of *Portſmouth* in *New Hampſhire*, who a ſhort time before obtained a ſeat in parliament. Inſtead of ſtanding forth a firm advocate for the country which gave him birth, he officiouſly propoſed to the houſe, laying a tax on the colonies, that ſhould annually amount to five hundred thouſand pounds ſterling, which he declared they were well able to pay: and he was heard with great joy and attention *. He or ſome other, recollecting that a ſtamp act was talked of by the commiſſioners at Albany, in 1754, might ſuggeſt that mode of taxing, for whatever was thought, *the ſtamp-act was not originally Mr. Grenville's* †.

The diſpoſition to tax the *Americans*, unleſs they would tax themſelves equal to the wiſhes of the miniſtry, was undoubtedly ſtrengthened by the reports of their gaiety and luxury, which reached the mother country: it was alſo ſaid, that the planters lived like princes, while the inhabitants of *Britain* labored hard for a tolerable ſubſiſtence. The officers lately returned, repreſented them as rich, wealthy, and even overgrown in fortune. Their opinion might ariſe from obſervations made in the American cities and towns during the war, while large ſums were ſpent in the country, for the ſupport of fleets and armies. American productions were then in great demand, and trade flouriſhed. The people, naturally generous and hoſpitable, having a number of ſtrangers among them, indulged them-

* Mr. Sayre's letter to captain Sears of New York, dated London 7th of February, 1764.

† Mr. Jackſon's letter to lieutenant governor Hutchinſon, December 26, 1765.

ſelves

ſelves in many uncommon expences. When the war was terminated, and they had no further apprehenſion of danger, the power of the late enemy in the country being totally broken—*Canada*, and the back lands to the very banks of the *Miſſiſſippi*, with the *Floridas*, being ceded to *Great Britain*—it was thought they could not well make too much of thoſe who had ſo contributed to their ſecurity. Partly to do honor to them, and partly, it is to be feared, to gratify their own pride, they added to their ſhow of plate, by borrowing of neighbours, and made a great parade of riches in their ſeveral entertainments. The plenty and variety of proviſion and liquors, enabled them to furniſh out an elegant table at a comparatively trifling expence.

Mr. *Grenville*'s intended ſtamp-act was communicated to the American agents. Many of them did not oppoſe it. Half their number were placemen, or dependent on the miniſtry. Mr. *Joſeph Sherwood*, an honeſt quaker, agent for *Rhode Iſland*, refuſed his aſſent to America's being taxed by a Britiſh parliament. Mr. *Mauduit*, the Maſſachuſetts agent, favored the raiſing of the wanted money by a ſtamp duty, as it would occaſion leſs expence of officers, and would include the Weſt India iſlands. But the ſcheme was poſtponed, and the agents authorized to inform the American aſſemblies, that they were at liberty to ſuggeſt any other way of raiſing monies; and that Mr. Grenville was ready to receive propoſals for any other tax, that might be equivalent in its produce to the ſtamp-tax. The colonies ſeemed to conſider it as an affront, rather than a compliment. He would not have been content with any thing ſhort of a certain ſpecific ſum, and proper funds

for

for the payment of it. Had not the ſums been anſwerable to his wiſhes, he would have rejected them; and he would ſcarce have been ſatisfied with leſs than 300,000l. per annum, which was judged abſolutely neceſſary to defray the whole expence of the army propoſed for the defence of America: he might rather have expected that it ſhould amount to what Mr. *Huſke* had mentioned. No ſatisfactory propoſals being made, he adhered to his purpoſe of bringing forward the ſtamp-bill, though repeatedly preſſed by ſome of his friends to deſiſt, while he might have done it with honor. *Richard Jackſon* eſq; had been choſen agent for the Maſſachuſetts; he with Mr. *Ingerſoll*, Mr. *Garth*, and Mr. *Franklin*, lately come from Philadelphia, waited on Mr. *Grenville*, the ſecond of February, 1765, by deſire of the colonial agents, to remonſtrate againſt the ſtamp-bill, and to propoſe that in caſe any tax muſt be laid upon America, the ſeveral colonies might be permitted to lay the tax themſelves. At this interview Mr. *Jackſon* opened his mind freely on the ſubject; and Mr. *Franklin*, as muſt be ſuppoſed, mentioned that he had it in inſtruction from the aſſembly of *Pennſylvania*, to aſſure the miniſtry, that they ſhould alway think it their duty to grant ſuch aids to the crown, as were ſuitable to their circumſtances, whenever called for in the uſual conſtitutional manner. Mr. Grenville however, pertinaciouſly adhered to his own opinions; and ſaid, that he had *pledged his word for offering the ſtamp-bill to the houſe*, and that the houſe would hear their objections, &c. &c. 1765. Feb. 2.

The bill was brought in; and on the firſt reading, Mr. *Charles Townſend* ſpoke in its favor. He took notice

tice of ſeveral things that colonel *Barre* had ſaid in his ſpeech againſt it; and then concluded with the following or like words: "And now will theſe *Americans*, children planted by our care; nouriſhed up by our indulgence, until they are grown to a degree of ſtrength and opulence; and protected by our arms; will they grudge to contribute their mite, to relieve us from the heavy weight of that burden which we lie under?"

On this colonel *Barre* roſe, and after explaining ſome paſſages in his ſpeech, took up Mr. *Townſend*'s concluding words in a moſt ſpirited and inimitable manner, ſaying, "*They planted by* YOUR *care!* No, your oppreſſions planted them in America. They fled from your tyranny, to a then uncultivated and unhoſpitable country, where they expoſed themſelves to almoſt all the hardſhips to which human nature is liable; and among others, to the cruelties of a ſavage foe, the moſt ſubtle, and I will take upon me to ſay, the moſt formidable of any people upon the face of God's earth; and yet, actuated by principles of true Engliſh liberty, they met all hardſhips with pleaſure, compared with thoſe they ſuffered in their own country, from the hands of thoſe that ſhould have been their friends.—*They nouriſhed up by* YOUR *indulgence!* They grew by your neglect of them. As ſoon as you began to care about them, that care was exerciſed in ſending perſons to rule them, in one department and another, who were, perhaps, the deputies of deputies to ſome members of this houſe, ſent to ſpy out their liberties, to miſrepreſent their actions, and to prey upon them—men, whoſe behaviour on many occaſions, has cauſed the blood of thoſe *ſons of liberty* to recoil within them—men promoted to the

higheſt ſeats of juſtice; ſome who to my knowledge were glad, by going to a foreign country, to eſcape being brought to the bar of a court of juſtice in their own.—*They protected by* YOUR *arms!* They have nobly taken up arms in your defence; have exerted a valor, amidſt their conſtant and laborious induſtry, for the defence of a country, whoſe frontier was drenched in blood, while its interior parts yielded all its little ſavings to your emolument.—And believe me, remember I this day told you ſo, that ſame ſpirit of freedom, which actuated that people at firſt, will accompany them ſtill—but prudence forbids me to explain myſelf further.—God knows, I do not at this time ſpeak from motives of party heat; what I deliver are the genuine ſentiments of my heart. However ſuperior to me in general knowledge and experience the reſpectable body of this houſe may be, yet I claim to know more of America than moſt of you, having ſeen and been converſant in that country.—The people, I believe, are as truly loyal as any ſubjects the king has; but a people jealous of their liberties, and who will vindicate them, if ever they ſhould be violated—but the ſubject is too delicate—I will ſay no more." Theſe ſentiments were thrown out, ſo entirely without premeditation, ſo forcibly and ſo firmly; and the breaking off was ſo beautifully abrupt, that the whole houſe ſat awhile amazed, intently looking without anſwering a word.

The London merchants trading to America, being much alarmed on account of their outſtanding debts, petitioned againſt the ſtamp-act. Their petition was offered at the ſecond reading of the bill. The rule of the houſe, never to receive petitions againſt money bills,

was urged. General *Conway* obſerved, that it appeared undeniable, that the practice was by no means invariable; at beſt it was but a practice of convenience, from which they ought, in the preſent inſtance, to vary. The miniſtry publicly declared, "*That it was intended to eſtabliſh the power of Great Britain to tax the colonies.*" They were induced to make a point of it, becauſe moſt of the petitions from thence, denied in the ſtrongeſt terms, the right of Britain to impoſe taxes. It was evident that the miniſterial forces would prevail, the petition of the London merchants was therefore withdrawn. After that, the others from the colonies were offered, but rejected upon the plea taken from the rule of the houſe. During the debate upon the bill, in this ſtage of it, "general *Conway* denied the *right* of parliament to tax the *Americans*, in the moſt peremptory manner; and urged, with great vehemence, the many hardſhips, and what he was pleaſed to call, abſurdities that would follow from the contrary doctrine and practice *." Alderman Beckford alſo diſputed the right of parliament, according to Mr. Ingerſoll's letter.

The ſupporters of the ſtamp-act inſiſted much upon the colonies being *virtually* repreſented; and mentioned *Leeds*, *Halifax*, *Birmingham*, *Mancheſter*, &c. as enjoying a *virtual repreſentation*. Whoever had a recourſe to a *virtual repreſentation* of the colonies, in vindication of the parliament's taxing them, therein acknowledged, that there ought not to be taxation without repreſentation. But the difference between *Leeds*, *Halifax*, &c. and the *American* colonies, is as wide as the *Atlantic*. The landholders of thoſe towns enjoy a real repreſenta-

* Mr. Ingerſoll's letter of March 6, 1765.

tion,

tion, if their freeholds yield a certain annual income. Many of the inhabitants have a choice in the election of members, in one place or another. The general intereſts of the freeholders and tenants, electors and non-electors, are ſo interwoven, that all are liable to be equally affected by the ſame common taxes. The one pays the ſame duty on his ſugar, tea, coffee, and chocolate, as the other. The relative connection between them, produces what may be called, with a kind of propriety, a *virtual repreſentation*; anſwering, though in a lower degree, to what the family of a freeholder or freeman enjoys. But was all the ſoil in the Britiſh colonies a man's freehold, it would not give him a ſingle vote for any one member of parliament. There is not an individual in them, who ſhould he croſs the Atlantic, would have a right to vote in any election, by virtue of any privileges enjoyed in America. He muſt be a freeholder of Britain, or a freeman of ſome Britiſh city, borough, or corporation, and have a Britiſh qualification, before he can elect or be elected. The intereſts of *America* and *Britain* are not interwoven, as are thoſe of Britiſh electors and non-electors. If the Britiſh parliament impoſe taxes on the Americans, Britons do not bear with them, their part and proportion in the ſaid taxes. The former are burdened, that the latter may be eaſed. The monies raiſed have the nature of a tribute, exacted from a conquered people in a ſlaviſh dependence; and not of a tax voluntarily granted by the voice of freemen, through their own elected repreſentatives, paying ſcot and lot with themſelves for the ſupport of government. Beſide, the Britiſh parliament are ſo far removed from America, that they cannot obtain

that full information reſpecting the colonies, which ought alway to accompany the exerciſe of a taxing power.

When the queſtion upon the bill, in its laſt ſtage, was brought to a vote, there were about 250 for, and 50 againſt it. In the houſe of lords, ſo ſtrong was the unanimity, that there was not a ſingle ſyllable uttered againſt the bill; and on the twenty-ſecond of March, it obtained the royal aſſent. The night after it was paſſed, Dr. *Franklin* wrote to Mr. *Charles Thomſon* *, "the ſun of liberty is ſet; you muſt light up the candles of induſtry and œconomy." Mr. *Thomſon* anſwered, he was apprehenſive that other lights would be the conſequence, and predicted the oppoſition that followed.

Mar. 22.

The framers of the ſtamp-act flattered themſelves, that the confuſion which would ariſe upon the diſuſe of writings, would compel the colonies to uſe the ſtamp-paper, and therefore to pay the taxes impoſed. Thus they were led to pronounce it, *a law which would execute itſelf*. Mr. Grenville however appears to have been apprehenſive, that it might occaſion diſorders; to prevent or ſuppreſs which, he projected another bill, which was brought in the ſame ſeſſion, whereby it was to be made lawful for military officers in the colonies, to quarter their ſoldiers in private houſes. This ſeemed intended to awe the people into a compliance with the other act. Great oppoſition being made to it, as under ſuch a power in the army, no one could look on his houſe as his own, that part of the bill was dropt; but there ſtill remained a clauſe, when it paſſed into a law, to oblige the ſeveral aſſemblies to provide quarters for the ſoldiers, and to furniſh them with firing, bedding, candles, ſmall beer, rum, and ſundry other articles, at

* Since the ſecretary of Congreſs.

the

the expence of the ſeveral provinces; which continued in force when the ſtamp-act was repealed. It equally militated with the other againſt the American principle, *That money is not to be raiſed on Engliſh ſubjects without their conſent.*

Whatever might be urged, government was under no neceſſity of adopting the mode of taxing the colonies, for their defence and the ſecuring of the new ceded countries. Though after the general peace, an Indian war might be continued or renewed, that was no reaſon for continuing Britiſh forces in America. The coloniſts were better able to deal with them than the regulars. The new ceded countries required no great number of troops to ſecure them. The colonies were at hand to ſupport the Britiſh garriſons in caſe aſſiſtance was wanted; and they had repeatedly ſhowed their readineſs upon former occaſions. The idea of a dangerous enemy upon the American continent was at an end: and the Britiſh adminiſtration muſt have been inexcuſable, had they not guarded againſt the transferring of one from Europe. It was become futile to exclaim—"Shall it depend upon the reſolutions of a Philadelphia aſſembly, whether our fellow ſubjects ſhall arm in defence of liberty and property? Does the fate of a whole continent bear any proportion to an almoſt imperceptible encroachment upon the important privilege of an American, deliberating for a year or two, whether he will pay ſix-pence in the pound to ſave himſelf and family from perdition?" The danger of perdition was a mere bugbear, which might frighten the ignorant into an apprehenſion, that it was abſolutely neceſſary to maintain an army in America, for the expence of which the colonies ſhould be

made to anſwer: but the Americans knew better than to ſtartle at the ſpectre. Had no more troops been ſtationed upon the American continent than circumſtances called for, the miniſtry might have obtained all the aids it was reaſonable for the colonies to have given, by the old mode of requiſition. From the time that they were firſt conſidered as capable of granting aids, the conſtant mode of obtaining them, was by *requiſition from the crown*, through the governors to the ſeveral aſſemblies: and the miniſters, from *Charles* II. to the preſent king, moſt effectually recogniſed the diſtinction between parliamentary ſuperintendence and taxation, in their requiſitions to the colonies to raiſe men and money by acts of aſſembly. Had this happy method been continued, all the money that could have been juſtly expected from them in any manner, might have been procured without the leaſt breach of that harmony, which ſo long ſubſiſted between the colonies and the mother country: and it was not acting wiſely to thwart unneceſſarily the prejudices of the Americans. But the impoſition of taxes upon them might be introductory to, or a part of the plan for overturning their civil and religious liberties, alluded to by the Rev. Mr. *Whitefield*, before even the ſugar-act had paſſed.

The ſtamp-act having paſſed, the colony agents waited upon Mr. Wheatley by deſire, who told them, that Mr. Grenville did not think of ſending from Great Britain ſtamp officers, but wiſhed to have diſcreet and reſpectable perſons appointed from among the inhabitants; and that he would be obliged to them to point out to him ſuch perſons. Thus the agents were drawn in to nominate. Dr. Franklin recommended Mr. *Hughes*

to

to be chief diſtributor of ſtamps in *Pennſylvania*, and Mr. *Cox* in the *Jerſeys*; and being conſulted by Mr. *Ingerſoll*, adviſed him to accept, adding, *go home and tell your countrymen to get children as faſt as they can*—thereby intimating his opinion of the oppreſſion the coloniſts were under, and of their preſent inability to make effectual reſiſtance; but that they ought, when ſufficiently numerous, to ſhake off the yoke and recover their liberty. It is apparent from the recommendations, and the appointments made in conſequence of the nominations, that the agents were far from thinking, that ſuch diſturbances would have been occaſioned by the ſtamp-act, or they would have ſpared their friends. They certainly expected the act would have gone down, and the ſtamp-papers have been uſed. But it was the reverſe.

A general diſcontent through the *Maſſachuſetts* diſcovered itſelf immediately on the firſt advice of the act's having paſſed; but there was no other expectation among the bulk of the people, than that the act would be ſubmitted to, and the duty paid; and ſeveral who afterward oppoſed it violently, made intereſt with the diſtributor, that they or their friends might obtain appointments. The newſpapers indeed, groaned for the loſs of liberty; however, nothing extravagant appeared in them: but the friends to the claims of the colonies, pleaſed with colonel Barre's ſpeech, and what he had pronounced the Americans, aſſumed to themſelves the title of—SONS OF LIBERTY.

In Connecticut, the inhabitants were quite inattentive to the fatal conſequences that the act might draw after it in ſome diſtant period. The judges themſelves, ſeveral of whom were of the council, appeared perfectly

ſecure, and were no ways alarmed. The Rev. Mr. *Stephen Johnſon* of *Lyme*, vexed and grieved with the temper and inconſiderateneſs of all orders of people, determined if poſſible to rouſe them to a better way of thinking. He conſulted a neighbouring gentleman, an Iriſhman by birth, who undertook to convey the pieces he might pen to the *New London* printer, ſo ſecretly as to prevent the author's being diſcovered. Three or four eſſays were publiſhed upon the occaſion. The eyes of the public began to open, and fears were excited. Other writers engaged in the buſineſs, while the firſt withdrew, having fully anſwered his intention. The congregational miniſters ſaw further into the deſigns of the Britiſh adminiſtration than the bulk of the colony; and by their publications and converſation, increaſed and ſtrengthened the oppoſition. It became ſo conſiderable, that when governor *Fitch* propoſed that he and the counſellors ſhould be ſworn agreeable to the ſtamp-act, colonel *Trumbull** went out and refuſed even to witneſs to the tranſaction. Others followed this ſpirited example, and only four of the council remained.

In *Virginia* a general diſpoſition appeared to ſubmit to the ſtamp-act: but *George Johnſton* and *Patrick Henry* eſqrs. conſulted together; and afterward, at the cloſe of the ſeſſions, when there was but a thin houſe, many members being abſent preparing to return home, Mr. Henry brought in a number of reſolves. They were as follows, viz. " Whereas the honorable houſe of commons in *England*, have of late drawn into queſtion how far the general aſſembly of this colony hath power to enact laws for laying of taxes and impoſing duties, pay-

* Now governor Trumbull.

able

able by the people of this his majeſty's moſt ancient colony—for ſettling and aſcertaining the ſame to all future times, the houſe of burgeſſes of this preſent general aſſembly, have come to the following reſolves:

Reſolved, That the firſt adventurers, ſettlers of this his majeſty's colony and dominion of *Virginia*, brought with them and tranſmitted to their poſterity, and all other his majeſty's ſubjects ſince inhabiting in this his majeſty's ſaid colony, all the liberties, privileges, franchiſes and immunities, that have at any time been held, enjoyed, and poſſeſſed by the people of *Great Britain:*

Reſolved, That by two royal charters, granted by king *James* I. the coloniſts aforeſaid are declared and entitled to all liberties, privileges, and immunities of denizens and natural ſubjects, to all intents and purpoſes, as if they had been abiding and born within the realm of *England:*

Reſolved, That his majeſty's liege people of this ancient colony have enjoyed the right of being thus governed by their own aſſembly, in the article of taxes and internal police; and that the ſame have never been forfeited, or any other way yielded up, but have been conſtantly recogniſed by the king and people of *Britain:*

Reſolved, therefore, That the general aſſembly of this colony, together with his majeſty or his ſubſtitutes, have in their repreſentative capacity, the only excluſive right and power to lay taxes and impoſts upon the inhabitants of this colony; and that every attempt to veſt ſuch power in any other perſon or perſons whatſoever, than the general aſſembly aforeſaid, is illegal, unconſtitutional, and unjuſt, and hath a manifeſt tendency to deſtroy *Britiſh* as well as *American* liberty:

Reſolved,

Reſolved, That his majeſty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, deſigned to impoſe any taxation whatſoever upon them, other than the laws or ordinances of the general aſſembly aforeſaid:

Reſolved, That any perſon who ſhall, by ſpeaking or writing, aſſert or maintain, that any perſon or perſons, other than the general aſſembly of this colony, have any right or power to impoſe or lay any taxation on the people here, ſhall be deemed an enemy to this his majeſty's colony."

Upon reading theſe reſolves, the *Scotch* gentlemen in the houſe, cried out treaſon, &c. they were however adopted. The next day, ſome old members got them reviſed, though they could not carry it to reject them. As reviſed they ſtand thus on the printed journals of the houſe of burgeſſes.

Thurſday, May 30, 1765.

May 30. Reſolved, That the firſt adventurers, &c. &c. as above:

Reſolved, That by two royal charters, &c. &c.

Reſolved, That the taxation of the people by themſelves, or by perſons choſen by themſelves to repreſent them, who can only know what taxes the people are able to bear, or the eaſieſt method of raiſing them, and muſt themſelves be affected by every tax laid on the people, is the only ſecurity againſt a burdenſome taxation, and the diſtinguiſhing characteriſtic of *Britiſh* freedom; without which the ancient conſtitution cannot exiſt:

Reſolved, That his majeſty's liege people of this his moſt ancient and loyal colony have, without interruption, enjoyed

enjoyed the ineſtimable right of being governed by ſuch laws, reſpecting their internal polity and taxation, as are derived from their own conſent, with the approbation of their ſovereign or his ſubſtitute; and that the ſame hath never been forfeited or yielded up, but hath been conſtantly recogniſed by the kings and people of *Great Britain.*"

Lieutenant governor Farquier diſſolved the houſe of burgeſſes upon being made acquainted with their reſolves. June 1.

A manuſcript of the unreviſed reſolves ſoon reached *Philadelphia*, having been ſent off immediately upon their paſſing, that the earlieſt information of what had been done might be obtained by the ſons of liberty. From thence the like was forwarded on the ſeventeenth of June. At *New York* the reſolves were handed about with great privacy: they were accounted ſo treaſonable, that the poſſeſſors of them declined printing them in that city. The *Iriſh* gentleman alluded to above, being there, inquired after them, and with much precaution was admitted to take a copy. He carried them to *New England*, where they were publiſhed and circulated far and wide in the newſpapers, without any reſerve, and proved eventually the occaſion of thoſe diſorders which afterward broke out in the colonies. Till they appeared, it was thought that the *Rhode Iſlanders* would ſubmit. Murmurs indeed were continually heard; but they ſeemed to be ſuch as would die away. The Virginia reſolutions gave a ſpring to all the diſguſted; and they began to adopt different meaſures.

The *Maſſachuſetts* aſſembly had hit upon a wiſe and quiet mode of ſeeking redreſs, before ever they could

be

be acquainted with what had been done in Virginia. It was projected and brought on by Meſſrs. *Otis*'s, father and ſon. They were viſiting at *James Warren*'s eſq; of Plymouth, a ſon and brother in law, he having married Miſs *Otis*. The ſtate of public affairs, and how to get rid of the burdens coming upon the colonies, were the ſubjects of converſation. Congreſſes had often been held, and though there was no precedent of any one's being called, but at the inſtance of perſons authorized or employed by the miniſtry, excepting the firſt congreſs we read of, which was propoſed by the *Maſſachuſetts* general court in 1690; yet no reaſonable objection could be made againſt holding one upon the preſent emergency, notwithſtanding it might want the ſanction of adminiſtration. It was agreed to forward the meeting of a congreſs as a proper method for obtaining the removal of American grievances. The matter was moved in the houſe of aſſembly; the conſequence
June 6. was, an agreement that "It is highly expedient, there ſhould be a meeting, as ſoon as may be, of committees from the houſes of repreſentatives or burgeſſes in the ſeveral colonies, to conſult on the preſent circumſtances of the colonies, and the difficulties to which they are and muſt be reduced, and to conſider of a general addreſs—to be held at New York the firſt Tueſday of October." Within two days, a letter was drafted to be ſent to the ſeveral ſpeakers; and at the cloſe of a fortnight, *James Otis*, jun. *Oliver Partridge*, and *Timothy Ruggles* eſqrs. were choſen the committee for the Maſſachuſetts. The governor, in his account to the lords of trade, ſaid, "It was impoſſible to oppoſe this meaſure to any good purpoſe; and therefore the friends of

govern-

government took the lead in it, and have kept it in their hands. Two of the three choſen are faſt friends to government, prudent and diſcreet men, ſuch as I am aſſured will never conſent to any improper applications to the government of Great Britain." Lieutenant governor *Colden* deſignedly prorogued the meeting of the *New York* aſſembly, till after the time appointed for the congreſs; but the committee ordered, by the vote of the houſe of the eighteenth of October 1764, to be a committee during the receſs, to write to and correſpond with the ſeveral aſſemblies or committees of aſſemblies on the continent, did by virtue of that order, meet in congreſs; and the houſe afterward approved of their conduct, on the twentieth of November; and moreover reſolved, "that for the obtaining relief from the operation and execution of the ſtamp-act, and other acts for levying duties and taxes on the colonies, humble petitions be prepared to the king, the houſe of lords, and the houſe of commons, as nearly ſimilar to thoſe drawn up by the congreſs as the particular circumſtances of the colony will admit."

The aſſemblies of *Virginia*, *North Carolina*, and *Georgia* were prevented, by their governors, having the opportunity of ſending committees to congreſs. *The Maſſachuſetts-bay*, *Rhode-Iſland and Providence Plantations*, *Connecticut*, *New York*, *New Jerſey*, *Pennſylvania*, the *Delaware Counties*, *Maryland* and *South Carolina*, had their reſpective committees preſent at the place appointed; and Mr. *Ruggles* was choſen chairman. The petition to the houſe of commons being finiſhed was ſigned; though only by members from ſix colonies; the committees from *Connecticut*, *New York*, and *South Carolina*, not

not having been ſufficiently empowered. Mr. *Ruggles* took leave of the members, Thurſday evening the twenty-fourth of October, and came off the next morning without ſigning; for which he was afterward cenſured by the *Maſſachuſetts* aſſembly. Mr. *Otis* was upon the point of treſpaſſing in like manner; but was prevented by the influence of Mr. *Thomas Lynch* of the *South Carolina* committee. The congreſs diſſolved on October the twenty-fifth, having finiſhed the buſineſs, to which they had been appointed. The colonies that could not ſend committees, ſhowed as opportunities offered, their approbation of what had been done, by forwarding to their agents petitions to the like purpoſe with that of congreſs. *New Hampſhire* had excuſed their not ſending to congreſs, from the then ſituation of their governmental affairs; but the ſpeaker laying before the aſſembly the proceedings of congreſs, on November the twenty-ſecond, they voted unanimouſly, "That this houſe do fully approve of and heartily join in the reſolves and ſeveral petitions agreed to by the ſaid general congreſs; and that the ſpeaker, with two others (all whoſe names are mentioned) be empowered to ſign the ſame in behalf of this houſe, if not too late; if the general petitions are forwarded, in that caſe the ſaid petitions to be fairly engroſſed, that they ſign them in behalf of the houſe, and forward them with duplicates to *Barlow Trecothick* and *John Wentworth* eſqrs. who are appointed ſpecial agents for the houſe, and are empowered and deſired to preſent the ſaid petitions, *&c.*" The committee wrote to theſe agents, on December the ſixth, and concluded with ſaying, "We in this province have not been ſo boiſterous and irregular as ſome others, not

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becauſe

becauſe we were inſenſible of our diſtreſſes; but becauſe we thought the preſent method moſt likely to obtain relief."

The *Virginia* reſolves having had their full operation, and the ſpirits of the people being highly inflamed, the colonial diſturbances break out upon the following occaſion. Meſſrs. *John Avery*, jun. *Thomas Crafts*, *John Smith*, *Henry Welles*, *Thomas Chace*, *Stephen Cleverly*, *Henry Baſs*, and *Benjamin Edes*, to manifeſt their abhorrence and deteſtation of thoſe perſons, who they ſuppoſed were endeavouring to ſubvert the Britiſh conſtitution, to enſlave the colonies, and to alienate the affections of his majeſty's moſt faithful ſubjects in America, provide and hang out early in the morning of Auguſt the fourteenth, upon the limb of a large old elm, toward the entrance of Boſton, over the moſt public ſtreet, two effigies, one of which by the labels, appears to be deſigned for the ſtamp officer; the other is a jack boot, with a head and horns peeping out of the top. Not only the uſual paſſengers paſs under it, but the report ſpreads and draws great numbers from every part of the town, and the neighbouring country. The affair is left to take its own courſe, an enthuſiaſtic ſpirit diffuſes itſelf through the body of the ſpectators. In the evening the pageantry is cut down, and carried in funeral proceſſion, the populace ſhouting, *liberty and property for ever—no ſtamps*, &c. &c. They direct their way to a new building, lately erected by Mr. *Oliver*, which they pull down, falſely ſuppoſing it to be deſigned for the ſtamp-office. They go on to his houſe, before which they behead his effigy, breaking at the ſame time all the windows next the ſtreet. They then repair to Aug. 14.

Fort Hill, on the aſcent to which ſtands his houſe, where they burn his effigy. After this they return to attack his premiſes; and many of them with clubs, ſtaves, *&c.* go to work on the garden, fences, barns, *&c.* Mr. Oliver had prudently retired, leaving a few friends behind to keep poſſeſſion of the dwelling: theſe committing ſome ſlight indiſcretions, the populace are ſo enraged, that they force themſelves into the lower part of it, break the windows and deſtroy the furniture.

15. They diſperſe about midnight. The next day Mr. Oliver, fearful of what may otherwiſe happen, declares that he has written to England, and reſigned. The mob aſſemble again at night: and, after ſome expreſſions of joy for the reſignation, proceed to the lieutenant governor's, Mr. *Hutchinſon*'s houſe, which they beſiege for an hour, though in vain, inſiſting repeatedly upon knowing whether he had not written in favor of the ſtamp-act: at length, through the influence of ſome diſcreet perſons, they withdraw, and finiſh their evening's entertainment at a bonfire.

26. Eleven days after, the diſorders grow more enormous and alarming. In the evening a number of perſons, diſguiſed and armed with clubs, ſticks, *&c.* collect in King-ſtreet, in conſequence of a preconcerted plan. They go firſt to Mr. *Paxton*'s, marſhall of the court of admiralty and ſurveyor of the port; being aſſured by the owner of the houſe, that Mr. Paxton had quitted it with his beſt effects; and being invited by him to the tavern to drink a barrel of punch, they accept the offer, and the houſe is ſaved. Having finiſhed the punch, they proceed to and attack the houſe of Mr. *William Story*, deputy regiſter of the court of admiralty; break the windows;

windows; force into the dwelling; ſtrip the office of the books and files belonging to the ſaid court; burn and deſtroy them, with many other papers; injure and ruin a great part of his furniture.

It is the opinion of ſome, that the firſt movers in the affair meant mainly an aſſault upon the houſe of the deputy regiſter, who, by various mal-practices, had made himſelf highly obnoxious to perſons doing buſineſs at his office. But mobs once raiſed, ſoon become ungovernable by new and large acceſſions, and extend their intentions far beyond thoſe of the original inſtigators. Crafty men may intermix with them, when they are much heated, and direct their operations quite differently from what was at firſt deſigned.

How far the ſcheme of the preſent mob extended, when it firſt collected, is hard to ſay; but upon leaving Mr. *Story*'s, they proceed to the houſe of Mr. *Benjamin Hallowell*, comptroller of the cuſtoms for Boſton; and to the repetition of ſimilar exceſſes to what have been juſt committed, add the drinking and deſtroying of liquors in the cellars, the taking away of wearing apparel, the breaking open of deſk and drawers, and the carrying off of thirty pounds ſterling in money. Many being now inflamed with liquor, and numbers having joined them, they become more riotous, and are ready for any miſchief. They hurry away to Mr. *Hutchinſon*'s houſe with the rage of madmen. He ſends off his children; bars his doors and windows; and means to remain; but is ſoon under the neceſſity of withdrawing, firſt to one houſe, then to another, where he continues till four in the morning; by which time, one of the beſt finiſhed houſes in the colony has nothing remaining

maining but the bare walls and floors. Gentlemen of the army, who have ſeen towns ſacked by an enemy, declare they never before ſaw an inſtance of ſuch fury. The rioters carry off about nine hundred pounds ſterling, beſide plate, family pictures, houſhold furniture of every kind, and the apparel of the lieutenant governor, his children and ſervants. They alſo empty the houſe of every thing whatſoever, except a part of the kitchen furniture; and ſcatter or deſtroy all the manuſcripts and other papers he has been collecting for thirty years back, beſides a great number of public papers in his cuſtody. The loſs of papers is irreparable.

27. The next day it was ſtrongly reported, by the enemies of Dr. *Jonathan Mayhew*, that he approved of theſe doings; and had, indeed, encouraged them, in a ſermon preached the preceding Lord's day on *Gal.* v. 12, 13. This led him to write immediately to Mr. Hutchinſon; and in his letter he condoled with him, "on account of the almoſt unparalleled outrages, committed at his houſe the preceding evening;" and ſaid, "God is my witneſs, that, from the bottom of my heart, I deteſt theſe proceedings; and that I am ſincerely grieved for them, and have a deep ſympathy with you, and your diſtreſſed family on this occaſion. I did, indeed, expreſs myſelf ſtrongly, in favor of civil and religious liberty, as I hope I ſhall ever continue to do; and ſpoke of the ſtamp act as a great grievance, like to prove detrimental, in a high degree, both to the colonies and the mother country; and I have heard your honor ſpeak to the ſame purpoſe. But, as my text led me to do, I cautioned my hearers very particularly, againſt the abuſes of liberty; and expreſſed my hopes,

that no perſons among ourſelves had encouraged the bringing of ſuch a burden on their country, notwithſtanding it had been ſtrongly ſuſpected. In truth, Sir, I had rather loſe my hand, than be an encourager of ſuch outrages as were committed laſt night. I do not think my regard to truth was ever called into queſtion, by thoſe that knew me; and therefore hope your honor will be ſo juſt as to give intire credit to theſe ſolemn declarations."

This ſame day the ſuperior court began its term. The chief juſtice, Mr. *Hutchinſon*, attended in his only ſuit, and neceſſarily without thoſe enſigns of office, ſo wiſely calculated to procure regard to authority; while the other gentlemen of the bench and bar appeared in their reſpective robes. The court refuſed to do any buſineſs, and adjourned to the fifteenth of October, to ſhow their reſentment of the inſult offered the lieutenant governor, as well as their ſenſe of the anarchy to which the government was reduced. Half a dozen of the dregs of the people, who, being taken up, refuſed to diſcover the ringleaders, were committed. Three broke jail and fled, againſt one of whom a bill was found: againſt the other three in cuſtody none was found; for it was not thought ſafe to proſecute. The temper of the public would not admit of it, without hazarding further diſturbances; and for that reaſon, one, who was capitally charged with being a principal in the riot, and ſecured, was finally diſmiſſed by the juſtices.

Various cauſes might contribute toward the outrageous attack upon the houſe and property of Mr. Hutchinſon. As long back as 1748, the currency having depreciated to about an eighth of its original value, he,

being then ſpeaker of the houſe, projected and carried through a bill for aboliſhing it, and ſubſtituting gold and ſilver in its place, which made him extremely obnoxious to ſeveral, who had lived by fraud, and were much diſſatisfied with the alteration. They then threatened him with deſtruction; and, retaining their rancour, are ſuppoſed to have been aiders and abettors, if not actors in the riot.—A certain gentleman of great integrity, and who fills a place in the judicial department, with much credit and to the ſatisfaction of the public, has expreſſed a ſtrong apprehenſion, that the mob was led on to the houſe, by a ſecret influence, with a view to the deſtruction of certain papers, known to be there, and which, it is thought, would have proved, that the grant to the New Plymouth company on Kennebec river, was different from what was contended for by ſome claimants. The papers were never found afterward.—But Mr. *Hutchinſon* had certainly diſguſted the people exceedingly, by promoting the ſuperior court's granting writs of aſſiſtance; and by ſhowing himſelf ſo ſtrenuous in ſupporting government, when become odious, by the meaſures adopted for obliging the colonies to pay taxes in compliance with Britiſh acts of parliament.—He was alſo ſtrongly ſuſpected of having forwarded the ſtamp-act, by letters written upon the occaſion. Theſe circumſtances, co-operating with the general diſpoſition in the people to tumult, produced by a prevailing perſuaſion, that they were deprived of the liberties of Engliſhmen, will account for the exceſſive outrages againſt him in particular. But their enormity was alarming. No one knew who might be the next ſacrifice. The town of Boſton therefore, beſide condemning

demning them the next day, unanimouſly voted, "That the ſelect men and magiſtrates be deſired to uſe their utmoſt endeavours to ſuppreſs the like diſorders for the future:" and for ſome time, the magiſtrates and private gentlemen, the cadet and other companies, kept watch at night to prevent further violences.

In juſtice to Mr. *Hutchinſon* it muſt be obſerved, that from his letters to Meſſrs. *Bollan*, *Jackſon*, and others, it appears, that he then conſidered parliament's taxing the colonies as inconſiſtent with the rights of the coloniſts, and as a mere act of power, without regard to equity. He was at the trouble of writing a pamphlet in 1764, containing *A brief ſtate of the claim of the colonies, and the intereſt of the nation with reſpect to them.* This, when he had diſguiſed it ſo as that it might not be ſuſpected to come from America, he ſent to Mr. Jackſon the agent, who was either to ſuppreſs or publiſh it; and he afterward expreſſed a ſurpriſe at his not having done the latter. The following are extracts from it.

"The right to new acquired countries, according to the conſtitution of England, two hundred years ago, was allowed to be in the crown. The crown from time to time diſpoſed of theſe countries, not only to their own ſubjects but to foreign princes: particularly *Acadie* and *Nova Scotia*, when begun to be ſettled by Britiſh ſubjects, were ceded to *France*, although France had no better claim to them than to New England: and *Surinam* was ſold to, or exchanged with the *Dutch*." He might have adduced in proof of James I. being of opinion, that he had a perſonal right to alienate at pleaſure new acquired territory, his granting, in September 1621, *Nova Scotia*, which he could not inherit but as king of

England, to Sir *William Alexander* of Menſtry, afterward Lord Stirling, under the ſeal of Scotland; and his erecting it into a palatinate, to be holden as a fief of the crown of Scotland. Under the ſame ſeal, and in the ſame words, the grant was confirmed by Charles I. in June 1625. The legality of theſe grants appear not to have been queſtioned at the time, which indicates that the prevailing opinion of the Engliſh correſponded then with that of their ſovereigns.

Mr. Hutchinſon goes on to mention, "*American* lands in their natural ſtate are of no value: there is not any colony which has not coſt more to make it capable of rendering profit than it is now worth."

"In the trading towns, in ſome of the colonies the laſt war, one fourth part of the profit of the trade was annually paid to the ſupport of the war, and other public charges. In the country towns, a farm which would not rent for twenty pounds a year, paid ten pounds taxes. Was it from parental affection to the coloniſts, and to ſave them from French vaſſalage, that Great Britain was at ſuch expence; or was it from fear of loſing the advantageous trade ſhe had carried on with her colonies?"

"When there is peace in Europe, what occaſion is there for any national expence in America?"

"It cannot be good policy to tax the Americans; it will prove prejudicial to the national intereſts. The advantages propoſed by the increaſe of the revenue, are fallacious and deluſive. You will loſe more than you will gain. Britain reaps the profit of all their trade, and of the increaſe of their ſubſtance."

"Your commerce with the colonies will be enough for you, ſhould you have no commerce elſewhere, if you

you encourage the colonies to increaſe the conſumption of your manufactures for fifty years to come, as they have done for fifty years paſt; and with no more than reaſonable encouragement they will infallibly do it, and in much greater proportion."

Though the diſturbances began in *Boſton*, yet they were not confined to the *Maſſachuſetts*. They broke out in the other colonies; and ſo near to the ſame time, as to excite ſuſpicions, that it was not wholly the effect of accident, but partly of a preconcerted deſign. *Rhode Iſland* and *Providence* Plantations ſhowed themſelves among the foremoſt in their oppoſition to the ſtamp-act.

A gazette extraordinary was publiſhed at *Providence*, Aug. with *Vox populi, Vox Dei*, in large letters for the fron- 24. tiſpiece; and underneath, *Where the Spirit of the Lord is, there is liberty*. The publication had a tendency to prepare the people for action. Effigies were alſo exhibited; and in the evening, cut down and burnt by the populace.

About nine in the morning, the people of *Newport* 27. in *Rhode Iſland* brought forth three effigies, meant for Meſſrs. *Howard*, *Moffatt*, and *Johnſton*, in a cart with halters about their necks, to a gallows near the town-houſe, where they were hung; after a while cut down, and burnt amid the acclamations of thouſands.

By the next day there was time enough to hear of 28. what had been done at *Boſton*. The people collected, or rather were muſtered afreſh, and beſat the houſe of Mr. *Martin Howard* jun. a lawyer of reputation, and a writer in defence of the parliament's right to tax the colonies. They deſtroyed every thing, and left only a ſhell. They paſſed on to Dr. *Thomas Moffatt*'s, a phy-

fician, one who had warmly ſupported in converſation the ſame right, and behaved in like manner. They intended doing it to Mr. *Auguſtus Johnſton*, but deſiſted upon perſuaſion; and on his coming to town, and giving it under his hand that he would not accept the office of diſtributor of the ſtamps, unleſs the public were ſatisfied, they became quiet. Meſſrs. Howard and Moffatt haſtened on board a ſhip of war for perſonal ſafety.

The commotions in *Connecticut* were not equally violent: but Mr. *Ingerſoll* was the ſubject of exhibition in divers places.

Aug. 22. They had their pageantry at *Norwich*, which they committed to the flames, when the day cloſed.

26. They had the ſame at *Lebanon*; but before they executed and burnt, they had the parade of a mock trial.

27. The next day there was a repetition of the like, excepting the trial. At length the reſentment againſt the ſtamp-diſtributor became ſo general and alarming, that he reſigned his office.

A like reſignation takes place in *New York*, ſome time in Auguſt. It becomes a neceſſary point of prudence, from the ſpirit which the citizens diſcover. The ſtamp-act is treated with the moſt indignant contempt, by being printed and cried about the ſtreets, under the title of, *The folly of* ENGLAND *and ruin of* AMERICA. Toward the end of October the ſtamp papers arrive; and Mr. M'Evers having reſigned, lieutenant governor *Colden* takes them into *Fort George*. Some extraordinary preparations for ſecuring them having diſpleaſed the inhabitants, joined to the diſlike they have entertained to Colden's political ſentiments, and its being the day for the ſtamp-act to take place, numbers are induced to

Nov. 1.

aſſemble

aſſemble in the evening. They proceed to the fort walls; break open his ſtable; take out his coach; and, after carrying it through the principal ſtreets of the city in triumph, march to the common, where a gallows is erected; on one end of which they ſuſpend his effigy, having in his right hand a ſtamped bill of lading, and in the other, a figure for the devil. After hanging a conſiderable time, they carry the whole, with the gallows intire, the coach preceding, in proceſſion to the gate of the fort; from whence it is removed to the bowling-green, under the muzzles of the guns; where a bonfire is immediately made, and all, coach included, are conſumed amid the exultations of ſome thouſands of ſpectators. They go from hence to major *James*'s houſe, before known by the name of *Vaux-hall*, which is genteely furniſhed, contains a valuable library and many curioſities, and has a handſome garden belonging to it. They ſtrip it of every article, make another bonfire, and conſume the whole, beſide deſtroying the garden; and all becauſe of his being a friend to the ſtamp-act.

The next morning a paper is privately drawn up, and Nov. 2.
given to a man to read from the balcony of the coffee houſe, to and about which the citizens are uſed to frequent: it ſets forth the neceſſity of being peaceable, and calls upon the inhabitants to turn out with their arms upon any alarm, and quell all riotous proceedings. The effect it appears to have upon being heard, is fruſtrated by captain *Iſaac Sears*, who formerly commanded a privateer, and is bitterly ſet againſt the ſtamp-act. Having been ſecretly informed in the morning what is to be done, he is preſent, and tells the populace, who collect about him, "The intention of the propoſal that has been

been read, is to prevent our having the ſtamp papers;" and adds, "but we will have them within four and twenty hours." He then flouriſhes his hat, and cries, "Huzza, my lads." They immediately comply in loud ſhouts. He turns to ſeveral gentlemen preſent, and ſays, "Your beſt way, as you may now ſee, will be to adviſe lieutenant governor *Colden* to ſend the ſtamp papers from the fort to the inhabitants." In the evening the mob aſſemble, and inſiſt upon his delivering them into their hands. He hopes to ſatisfy them, by declaring he will do nothing in relation to the ſtamps, but leave it to Sir Henry Moore to do as he pleaſes on his arrival. The people are not contented; they will have the ſtamps, or attempt taking them away by force; which muſt probably be attended with much bloodſhed. After repeated negotiation, it is agreed, that they ſhall be delivered to the corporation; which is accordingly done, and they are depoſited in the city hall, to general ſatisfaction. Ten boxes of the like, which arrive afterward, meet with a worſe fate, being committed to the flames.

The deſtruction of major *James*'s houſe, (for it was reduced to a ſhell) convinced the gentlemen, who were ſtanding up for the rights of the colonies, that it was neceſſary to have leaders to manage the mob. It was therefore contrived to call the people together.

Nov. 6. They met in the fields; and it was propoſed, that a committee be appointed to open a correſpondence with the other colonies. This was a meaſure of ſo ſerious and important a nature, as to endanger the property and lives of the committee, eſpecially ſhould the ſtamp-act be enforced and carried through; and therefore there was no one, for more than half an hour, who would

venture

venture to accept. Mr. *James De Lancey*, who had joined the popular ſide, in order to ſecure a ſeat in the aſſembly at the next general election, was nominated; but declined, pleading his being upon the committee to converſe with the lawyers, on their proceeding to buſineſs without ſtamps, inſtead of ſuſpending it, as they appeared to intend. At length, however, captain Sears with four others offered, and were approved.

They agreed among themſelves to ſign all the letters with their ſeveral names, and to open a correſpondence with all the colonies. The *Philadelphians* were requeſted to forward their encloſed letters to the more ſouthern ſtates, and the *Boſtonians* to forward thoſe for *New Hampſhire*.

Here we ſee another ſet of correſponding ſons of liberty originated, to ſtrengthen the oppoſition of the colonies to parliamentary taxation.

The commotions beyond *New York* did not terminate in ſimilar exceſſes to what had happened there, at *Newport*, and *Boſton*; but the exhibition of effigies in the day, the burning them at night, and other marks of diſpleaſure, induced the ſtamp officers to reſign. Some did it with a better grace than others. Mr. *George Mercer*, diſtributor for *Virginia*, arrived in the evening at *Williamſburgh*. The people immediately urged him to reſign. The next day he declined acting, in ſo genteel a manner, that he had the repeated acclamations of all preſent. At night the town was illuminated, the bells were ſet a ringing, and all was joy and feſtivity.

At *Philadelphia*, upon the appearance of the ſhips, Oct. having on board the ſtamps, all the veſſels in the har- 5. bour hoiſted their colours half ſtaff high; the bells were muffled

muffled and continued to toll till evening; and every countenance added to the marks of ſincere mourning. A large number of people, chiefly of the preſbyterian perſuaſion, and of the proprietary party, with *William Allen* eſq; the chief juſtice's ſon at their head, aſſembled and endeavoured to procure the ſtamp diſtributor's reſignation. It had been for ſome time warmly talked of, that he ought to reſign. Mr. *Hughes* was obnoxious to both the preſbyterian and the proprietary party; but particularly hateful to the latter, as it was his *intereſt, aſſiduity and influence*, in the *Pennſylvania* houſe of aſſembly, that enabled the province to ſend home Dr. *Franklin* to preſent their petitions, for a change of government from proprietary to royal—a change highly diſagreeable to each party. The body of quakers ſeemed diſpoſed to pay obedience to the ſtamp-act, and ſo did part of the church of *England*, and of the baptiſts not under proprietary influence. But no pains were ſpared to engage the *Dutch* and lower claſs of people in the oppoſition; and though Mr. *Hughes* held out long *, yet he found it neceſſary at length to comply.

Mr. *Hood*, ſtamp diſtributor for *Maryland*, that he might avoid reſigning, fled to *New York*, and obtained protection in the fort. Upon Sir *Henry Moore*'s arrival he left the fort, and went to *Long Iſland*. A number of the freemen croſſed over unexpectedly; ſurpriſed him; obliged him to ſign a paper, declaring his abſolute and final reſignation; and then took him before a magiſtrate, to whom he read the paper, and afterward made oath to the matter therein contained.

* Mr. Hughes's letters of October and November 1765.

At *Boſton* they took care to keep up the ſpirit of liberty, though they avoided former violences. A new political paper appeared under the ſignificant title of "The Conſtitutional Courant, containing matters intereſting to *liberty*, and no ways repugnant to *loyalty*; printed by *Andrew Marvel*, at the ſign of the *Bribe refuſed*, on *Conſtitution Hill, North America*." It wore a more ſignificant head piece—a ſnake cut into eight pieces, the head part having N E the initials of *New England* affixed to it, and the reſt the initials of the other colonies to *South Carolina* incluſively, and in order, N Y, N J, P, M, V, N C, S C. The device accompanying them was I O I N or D I E. Sept. 21.

The morning of the day when the ſtamp-act took place, was uſhered in with the tolling of bells. The large old elm (which ſince the fourteenth of Auguſt, when the riots began, had been adorned with an inſcription, and obtained the name of *liberty tree*, as the ground under it had that of *liberty hall*; and which gave riſe to other trees being ſo called, upon an appropriation to popular purpoſes by the ſons of liberty) was decorated with two effigies. They were cut down at three o'clock, amid the acclamations of thouſands; carried about town, then to the gallows upon the Neck; there hung up again; after a while cut down; torn in pieces and ſcattered. The people repaired home; and the evening paſſed away quietly. But a tranſaction took place afterward, not much to the credit of the town. Nov. 1.

Mr. *Oliver* was called upon by a letter from (as it was improperly ſigned) *the true ſons of liberty*, to make a public reſignation of his office on the morrow, under liberty tree. He deſired a gentleman to interpoſe, and procure Dec. 16.

procure him at leaſt leave to reſign at the town-houſe; but after ſeveral conſultations, nothing more could be obtained than a promiſe of having no affront offered, and a propoſal to invite the principal perſons of the town to accompany him. He was obliged to repair to liberty tree; there to read his declaration in the preſence of more than two thouſand people; and then to ſwear to it before a juſtice, on the ſpot for that purpoſe. The cool, firm, and judicious ſons of liberty, muſt condemn this procedure toward the ſecretary, as mean, revengeful, and cruel. It was torturing his feelings afreſh, as upon a ſtage, in the moſt conſpicuous manner, after having been terrified into a reſignation four months before; and when it might be expected, that the bitterneſs of the reſentment againſt him was ended.

The oppoſition to the ſtamp officers was not confined to the continent. The people of St. *Kitts* obliged the diſtributor and his deputy to reſign. *Barbadoes* ſubmitted to the act. *Jamaica* in general cleared out with ſtamps; but *Kingſton*, as before, without. Upon the continent, *Canada* and *Halifax* ſubmitted.

The general fear that individuals were under, either of diſtributing or uſing ſtamps, was increaſed in one government by the following paper, paſted up at the door of every public office, and at the corner of the ſtreets—

Pro Patria.

The firſt man that either diſtributes or makes uſe of ſtamped paper, let him take care of his houſe, perſon, and effects.

We dare Vox Populi.

The

The public reſentment was kept alive and lively by the contemptuous treatment which the ſtamp-act itſelf met with, being openly burnt in ſeveral places, with the effigies of the officers; and by caricatures, paſquinades, puns, bon mots, and ſuch vulgar ſayings fitted to the occaſion, as by being ſhort, could be moſt eaſily circulated and retained, while, being extremely expreſſive, they carried with them the weight of a great many arguments.

The reſignation of the officers, and the want of perſons, either to undertake the delivery of ſtamps, or to receive and uſe them, neceſſarily laid the coloniſts under a legal inability for doing buſineſs, according to parliamentary law. They however ventured upon it, and riſked the conſequence. The veſſels ſailed from the ports as before; excepting that, in ſome inſtances, a certificate was given that the perſon appointed to diſtribute ſtamp'd papers in the province, refuſed to deliver them, which certificate being handed by the maſters to the naval officer, they were admitted to give bond in his office, and to paſs through the other offices without ſtamps. The *Rhode Iſland* and *Providence* Plantations kept their courts open the whole time, even when they were ſuſpended in the other colonies. Toward the end of November, it was agreed in *Maryland* and *Virginia* to proceed on buſineſs in the uſual manner without ſtamps. In the Maſſachuſetts the popular party ſo far prevailed, that the houſe of aſſembly reſolved, January the twenty-third 1766, "That the ſhutting up the courts of juſtice is a very great grievance; and that the judges, juſtices, and all other public officers in this province ought to proceed as uſual." But when the ſuperior

rior court opened, on the eleventh of March, the parties concerned evaded the proſecuting of buſineſs. The lawyers in a body waited, as uſual, upon the judges, on the firſt day of the term, before they went into the court. The chief juſtice, Mr. Hutchinſon, not being preſent at this meeting, Mr. Peter Oliver ſaid he attended according to his duty, and that he underſtood it would be expected that he and his brethren ſhould proceed in buſineſs in defiance of the late act of parliament: ſuch proceeding, he added, was contrary to his judgment and opinion; and if he ſubmitted to it, it would be only for ſelf-preſervation, as he knew he was in the hands of the populace: he therefore previouſly proteſted, that all ſuch acts of his, if they ſhould happen, would be acts under dureſs. To which the other judges aſſenting, it was propoſed to each of the lawyers ſingly, *Do you deſire that buſineſs ſhould proceed contrary to the act of parliament?* Every one of them anſwered in the negative, even Mr. Otis himſelf. But they ſaid, it would be proper to try a cauſe or two to quiet the people: accordingly one cauſe, which had been at iſſue before the ſtamp-act took place, was tried, and all other civil buſineſs was poſtponed to the middle of April.

Though the violent and riotous proceedings, which have been noticed, were ſeverely cenſured by many; and numbers in all the colonies, might ſeem inclined to ſubmit to the ſtamp-act, yet the right of impoſing it was univerſally condemned, and the colonial rights as univerſally acceded to by the moſt peaceably diſpoſed. The reſolutions of the *Pennſylvania* aſſembly, which met at *Philadelphia* in September 1765, were paſſed *nemine contradicente*; and left upon their minutes, "as a teſtimony

1765. Sept.

of

of the zeal and ardent deſire of that houſe, to preſerve their ineſtimable rights, which as *Engliſhmen* they poſſeſſed ever ſince the province was ſettled, and to tranſmit them to their lateſt poſterity." They "reſolved, That the only legal repreſentatives of the inhabitants of this province, are the perſons they annually elect to ſerve as members of aſſembly—Reſolved therefore, That the taxation of the people of this province by any other perſons whatſoever, than ſuch their repreſentatives in aſſembly, is unconſtitutional, and ſubverſive of their moſt valuable rights—Reſolved, That the laying of taxes upon the inhabitants of this province, in any other manner, being naturally ſubverſive of public liberty, muſt, of neceſſary conſequence, be utterly deſtructive of public happineſs *." There might not be ſo many quakers in the houſe as uſual; the times probably occaſioned a larger choice out of other denominations; but there muſt have been ſeveral; and theſe we find acquieſced. Theſe reſolutions are as much oppoſed to the claims of the Britiſh parliament, as are thoſe of the *Maſſachuſetts* aſſembly, paſſed October the twenty-ninth. Indeed the latter dwell more upon the unalienable eſſential rights of mankind, of which theſe cannot be diveſted, conſiſtent with the law of God and nature, by any law of ſociety; and they evidently mark it out, in their opinion, as one of thoſe rights, that no man can juſtly take the property of another without his conſent. They alſo reſolved, that a repreſentation in parliament of the inhabitants of their province, ſuch as the ſubjects in Britain actually enjoy, is impracticable for the ſubjects in America †.

* See the Gentleman's Magazine, Vol. XXXV. p. 538. † Ibid. Vol. XXXVI. p. 94.

But both aſſemblies, though their expreſſions differed, agreed in reſolving, that the extenſions of the court of admiralty within the provinces, is a moſt violent infraction of the right of trials by juries. The reſolves of the *Maryland* and *Connecticut* aſſemblies, paſſed, the one September the twenty-eighth, and the other November the firſt, breathed the ſame ſpirit *.

But we have now to attend to a judicious meaſure,
Oct. 31. purſued by the *New York* merchants, the more effectually to obtain a repeal of the ſtamp-act. They reſolved to direct their correſpondents not to ſhip any more goods till it was repealed; and that they would not ſell any goods upon commiſſion, which ſhould be ſhipped from Britain, after the firſt of January, unleſs upon that condition. They were the foremoſt in adopting the non-importation agreement; and recommended the like conduct to the *Maſſachuſetts* and the neighbouring provinces in trade.

Nov. 7. The merchants and traders of *Philadelphia* had a general meeting, and entered into a ſimilar agreement. Some quakers, who would not ſign the combination, thought it prudent to be governed by the ſame reſtriction; and gave directions that the goods ordered ſhould not be ſent, unleſs the ſtamp-act was repealed.

Dec. 9. It was not till December the ninth that the merchants and traders of *Boſton* reſolved upon a non-importation. Government may deem ſuch combinations illegal, as they are apt to do all that are oppoſed to their own meaſures; but ſurely the caſe of communities is bad indeed, if they have not a right voluntarily to agree among

* Gentleman's Magazine, Vol. XXXVI. p. 94 and 95.

themſelves,

themſelves, merely to ſuſpend buying till they can obtain their own terms, when equitable.

The peaceable line purſued in theſe agreements, had not been attended to by all who oppoſed the ſtamp-act. They therefore, for their own ſafety, had a recourſe to another, which might have drenched the country with blood, had not the repeal prevented. The way had been prepared by the publication of a ſyſtem of politics, which appeared originally in the New York papers, the principal point of which was, that the colonies are no otherwiſe related to Great Britain but by having the ſame king. The eſſays meant to propagate and ſupport this ſyſtem made their firſt appearance in the New York prints, but moſt probably ſome of the manuſcripts were ſent from Boſton. The New York ſons of liberty had, at length, a meeting, wherein they reſolved, that they would go to the extremity with lives and fortunes to prevent the ſtamp-act. This ſpirit produced the following agreement between them and the ſons of liberty in Connecticut.

"Certain reciprocal and mutual agreements, conceſ- Dec. ſions and aſſociations made, concluded and agreed upon 25. by and between the ſons of liberty of the colony of *New York* of the one part, and the ſons of liberty of the colony of *Connecticut* on the other part, this twenty-fifth day of December, in the ſixth year of the reign of our ſovereign Lord *George* the Third, by the grace of God, of *Great Britain*, *France* and *Ireland* king, defender of the faith, and in the year of our Lord one thouſand ſeven hundred and ſixty-five.

The aforeſaid parties taking into their moſt ſerious conſideration the melancholy and unſettled ſtate of *Great*

Britain and her *North American colonies*, proceeding as they are fully perſuaded, from a deſign in her moſt inſidious and inveterate enemies, to alienate the affections of his majeſty's moſt loyal and faithful ſubjects of *North America* from his perſon and government—Therefore to prevent as much as in us lies the diſſolution of ſo ineſtimable an union, they do, in the preſence of *Almighty God*, declare that they bear the moſt unſhaken faith and true allegiance to his majeſty King *George* the Third—that they are moſt affectionately and zealouſly attached to his royal perſon and family, and are fully determined to the utmoſt of their power, to maintain and ſupport his crown and dignity, and the ſucceſſion as by law eſtabliſhed; and with the greateſt cheerfulneſs they ſubmit to his government, according to the known and juſt principles of the BRITISH CONSTITUTION, which they conceive to be founded on the eternal and immutable principles of juſtice and equity, and that every attempt to violate or wreſt it, or any part of it from them, under whatever pretence, colour or authority, is an heinous ſin againſt God, and the moſt daring contempt of the people, from whom (under God) all juſt government ſprings. From a ſacred regard to all which, and a juſt ſenſe of the impending evils that might befal them, in conſequence of ſuch a dreadful diſſolution, They do hereby voluntarily, and of their own free will, as well for the ſupport of his majeſty's juſt prerogative and the Britiſh conſtitution as their own mutual ſecurity and preſervation, agree and concede to aſſociate, adviſe, protect, and defend each other in the peaceable, full and juſt enjoyment of their inherent and accuſtomed rights as Britiſh ſubjects of their reſpective *colonies*, not in the leaſt

leaſt deſiring any alteration or innovation in the grand bulwark of their liberties and the wiſdom of ages, but only to preſerve it inviolate from the corrupt hands of its implacable enemies—And whereas a certain pamphlet has appeared in America in the form of an act of parliament, called and known by the name of the *Stamp-Act*, but has never been legally publiſhed or introduced, neither can it, as it would immediately deprive them of the moſt invaluable part of the Britiſh conſtitution, viz. the trial by juries, and the moſt juſt mode of taxation in the world, that is, of taxing themſelves, rights that every Britiſh ſubject becomes heir to as ſoon as born. For the preſervation of which, and every part of the Britiſh conſtitution, they do reciprocally reſolve and determine to march with the utmoſt diſpatch, at their own proper coſts and expence, on the firſt proper notice, (which muſt be ſignified to them by at leaſt ſix of the ſons of liberty) with their whole force if required, and it can be ſpared, to the relief of thoſe that ſhall, are, or may be in danger from the *ſtamp-act*, or its promoters and abettors, or any thing relative to it, on account of any thing that may have been done in oppoſition to its obtaining—And they do mutually and moſt fervently recommend it to each other to be vigilant in watching all thoſe who, from the nature of their offices, vocations or diſpoſitions, may be the moſt likely to introduce the uſe of ſtamped papers, to the total ſubverſion of the Britiſh conſtitution and American liberty; and the ſame, when diſcovered, immediately to adviſe each other of, let them be of what rank or condition ſoever; and they do agree, that they will mutually, and to the utmoſt of their power, by all juſt ways and means, endeavour to

bring all ſuch betrayers of their country to the moſt condign puniſhment—And further, they do mutually reſolve to defend the liberty of the preſs in their reſpective colonies from all unlawful violations and impediments whatever, on account of the ſaid act, as the only means (under divine Providence) of preſerving their lives, liberties and fortunes, and the ſame in regard to the judges, clerks, attornies, &c. that ſhall proceed without any regard to the *ſtamp-act*, from all pains, fines, mulcts, penalties, or any moleſtation whatever—And finally, that they will, to the utmoſt of their power, endeavour to bring about, accompliſh, and perfect the like *aſſociation* with all the *colonies* on the continent for the like ſalutary purpoſes and no other."

The oppoſition to the ſtamp-act raged apparently more in New York and Connecticut than in the Maſſachuſetts; but the aſſociation being agreed upon, was ſent by expreſs to the ſons of liberty at *Boſton*, and received Sun-
1766. day the ſecond of February 1766. On its receipt, letters were forwarded to a few individuals; and on the
Feb. 6. ſixth of February, a circular letter to the ſeveral towns in the colony, containing the aſſociation, and the deſire of the firſt original aſſociators to accompliſh the like aſſociation, with a requeſt to be informed of the ſentiments and diſpoſitions of the people in ſuch towns. A letter was alſo ſent on the ſame ſubject, to the ſons of liberty at *Portſmouth* in *Hampſhire* colony. They met; and in their anſwer of February the eighth, teſtified their approbation of the meaſure already taken, and their determination to oppoſe the execution of the ſtamp-act, &c.

The

The *Boſton* ſons of liberty accepted the propoſal of uniting themſelves to *New York* and *Connecticut*; and in their letter to the brotherhood at *Norwich*, propoſed to commence a continental union, of which the latter greatly approved in their anſwer of February the tenth.

On February the thirteenth, the ſons of liberty at *Boſ-* 13.
ton wrote a *circular letter* to *New Hampſhire*, *Connecticut* and *New York*; and before the month was ended, the *New Yorkers* ſent circular letters as far as *South Carolina*, urging a *continental union*.

Moſt of the towns in the *Maſſachuſetts*, having been applied to, ſignified "their determination to march with their whole force to the ſupport of the Britiſh conſtitution, and conſequently the relief of thoſe that ſhall or may be in any danger from the ſtamp-act or its abettors."

It is not to be ſuppoſed, that the diſorderly proceedings, above related, were chargeable ſolely on the dregs of the colonies. The ſons of liberty at New York, who held regular meetings, were ſaid to be directed by much greater perſons than any that appeared among them. The mobs conſiſted not of mere rabble; but were compoſed much of independent freemen and freeholders, ſo that ſome of the firſt people in the provinces were intimidated, and left the cauſe of the parliament without proper ſupport. Merchants, aſſemblymen, magiſtrates, *&c.* united directly or indirectly in the riots, and without their influence and inſtigation the lower claſs of inhabitants would have been quiet; but great pains were taken to rouſe them into action. At *Boſton* ſuch was the protection and countenance given to the rioters, that ſome of the principal ringleaders walked the ſtreets

with impunity, no officer daring to attack them, no attorney general to profecute them, no witneſs to appear againſt them, and no judge to ſit upon them. But when the enormities are ſaid to have originated from the Preſbyterians and Congregationaliſts, the charge muſt be imputed to malevolence, or to groſs ignorance, or a mixture of both. The gentlemen on the ſide of government, who were upon the ſpot, in their letters written at the time, placed them to the account of the *Virginia* reſolves. Mr. *Hutchinſon* tells his correſpondent, "Nothing extravagant appeared in the papers till an account was received of the *Virginia* reſolves." Mr. *Hughes* writes, "the fire began in *Virginia*:" governor *Bernard*, "the publiſhing the *Virginia* reſolutions proved an alarum bell to the diſaffected:" another, in his letter to Mr. Secretary *Conway*, from *New York*, "the reſolves of the aſſembly of *Virginia* gave the ſignal for a general outcry over the continent." The *Virginians* are epiſcopalians, and if there is either blame or merit, in exciting that fixed and ſpirited oppoſition to the ſtamp-act, which followed upon their reſolves, let them be credited for the ſame: to them belongs the honor or diſgrace; and ſolely to particular colonies the diſgrace of the ſeveral enormities committed in them. The bulk of the people at *Boſton* are congregationaliſts; at *New York*, the preſbyterians, including the Dutch and foreign ſocieties, may poſſibly be fully equal to, or even exceed the epiſcopalians. At *Newport* all denominations are equally encouraged, and enjoy no aſcendency over each other, and therefore might be equally concerned, the peaceable quakers excepted. At *New York* the moſt violent actors were epiſcopalians; at *Boſton*, congregationaliſts; though

though here they were joined by a number of epiſcopalians, and there by a number of preſbyterians.

People in *Britain* were differently affected by the diſturbances in the colonies. This party was for ſupporting the authority of parliament at all adventures, and for enforcing the ſtamp-act, if needful, with the point of the ſword; that for quieting the colonies by the repeal of it. Happy for them, Mr. *Grenville* and his party had thrown themſelves out of place on a difference as to the regency bill; ſo that the marquis of *Rockingham* and others in oppoſition, who were better inclined to the Americans, came into office. The marquis and his friends did not come to a reſolution directly to repeal the act. The main lines of their own plan were not marked out, nor the repeal determined upon, until a little before the meeting of parliament. But the choice of the meaſure, and of the principle to proceed upon was made before the ſeſſion. The papers relative to American affairs were produced to the houſe of commons: and it was a kind of plan on all ſides, to maintain the authority of parliament, and by that very authority to give the colonies every relief the nature of the caſe required. But the great commoner Mr. *Pitt*, who neither communicated, nor connected himſelf with any one, came to the houſe and declared, that parliament had *no right* to tax the colonies; and ſaid alſo, *I am glad America has reſiſted.* He hereby deranged matters; threw the oppoſition into a rage; and reduced the miniſtry to a neceſſity of accompanying the repeal, with the declaratory bill, expreſſive of the *right* of parliament to *bind* the colonies *in all caſes whatever.* 1765. July 10.

Mr.

1766. Mr. *Grenville* moved, that the ſtamp-act ſhould be enforced, and was ſupported by 134, but oppoſed by 274. The merchants and manufacturers joined their efforts with miniſtry to obtain a repeal. They were alarmed at the non-importation agreement, and the confuſions which exiſted, as being neceſſarily prejudicial to their own intereſts, and tending to the deſtruction of commerce. The miniſtry did not fail to encourage petitions, complaining of hardſhips brought on by the great decay of trade to the American colonies; and alſo inſtructions to members from the trading and manufacturing towns. The petition of congreſs was not admitted: the members not being called together by the authority of the crown, though a futile was yet a prevailing argument againſt its admiſſion. But the repeal was grounded on the other petitions; and after a ſix weeks inquiry into *American* affairs, was moved for, with the greateſt propriety, by general *Conway*, the ſecretary, who had oppoſed the ſtamp-bill at the ſecond reading, and denied the right of parliament to tax the Americans. The debate, which enſued, was warm, intereſting and long. But, by three o'clock in the morning, "the houſe, by an independent noble ſpirited and unexpected majority, in the teeth of all the old mercenary *Swiſs* of the ſtate, in deſpite of all the ſpeculators and augurs of political events, in defiance of the whole embattled legion of veteran penſioners and practiſed inſtruments of court, gave a total repeal to the ſtamp-act, and (if the ſcheme of taxing the colonies had been totally abandoned) a laſting peace to the whole empire *." The motion was carried by 275, againſt 167. The cyder counties

Feb. 22.

* Mr. Edmund Burke's ſpeech, April 19, 1774.

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ſupported it; for they expected a repeal of the duty on cyder; and obtained it in April. It has been ſaid, that had not the miniſtry bartered the ſtamp-act againſt the repeal of the cyder duty, they would not have ſucceeded *. This however muſt be a falſe charge, if the former marked paragraph is ſtrictly true. During the debate, "the trading intereſt of the empire, crammed into the lobbies of the houſe of commons, with a trembling and anxious expectation, and waited, almoſt to a winter's return of light, their fate from the reſolution of the houſe. When, at length, that had determined in their favor, and the doors thrown open, ſhowed them the figure of their deliverer, in the well earned triumph of his important victory, from the whole of that grave multitude there aroſe an involuntary burſt of gratitude and tranſport. They jumped upon him, like children on a long abſent father. They clung about him as captives about their redeemer. All *England* joined in his applauſe. Nor did he ſeem inſenſible to the beſt of all earthly rewards, the love and admiration of his fellow citizens. *Hope elevated and joy brightened his creſt* †."

The miniſtry had certainly great difficulties to encounter: the principal originated in the colonies, and were cauſed by the intemperate proceedings of the various ranks of men within them. "Their violence awakened the honor of parliament, eſpecially after Mr. *Pitt*'s ſpeech, and thereby involved every friend of the repeal into the imputation of betraying its dignity. This is ſo true, that the act could not have been repealed, had not men's minds been in ſome meaſure ſa-

* Political Memoirs, printed 1783. † Mr. Burke's ſpeech.

tisfied

tisfied with the *declaration of right* *." All the *Scotch* members, ſave two, voted againſt the repeal. Mr. Bollan, who informed lieutenant governor Hutchinſon of it by letter, omitted mentioning the names of the gentlemen.

The bill having paſſed the houſe of commons, went up to the houſe of lords. Lords *Bute* and *Strange* publicly declared, that his majeſty's wiſh was not for a repeal. The marquis of *Rockingham* and Lord *Shelburne* went together to the king, and told what was reported. They were informed, that his majeſty had expreſſed his deſire that it ſhould be enforced; but if it could not be done peaceably and without bloodſhed, it was his ſincere deſire and intention, that it ſhould be totally repealed. The dukes of York and Cumberland, the lords of the bed-chamber, and the officers of the houſehold, were for carrying fire and ſword to America. Moſt of the bench of biſhops joined them. Inſtead of aſcribing that to a ſanguinary diſpoſition, to which their profeſſion was oppoſed; let it be imputed to the painful proſpect of being hindered eventually, from eſtabliſhing the Engliſh hierarchy within the American colonies. There were in the houſe of lords, proxies included, for the repeal 105, againſt it 71.

Mar. 19. On Wedneſday, March the nineteenth, his majeſty went to the houſe of peers, and paſſed the bill for repealing the American ſtamp-act; as alſo that for ſecuring the dependency of the colonies on the Britiſh crown. On this occaſion the American merchants

* The London merchants letter to John Hancock eſq; and others, dated February 28.

made a moſt numerous appearance, to expreſs their gratitude and joy; ſhips in the river diſplayed their colours; houſes at night were illuminated all over the city, and every decent and orderly method was obſerved, to demonſtrate the juſt ſenſe they entertained of his majeſty's goodneſs, and the wiſdom of parliament, in conciliating the minds of the people on this critical occaſion. An expreſs was diſpatched immediately to Falmouth, with letters to the different provinces, acquainting them with the news of the repeal; that ſo their fears might vaniſh, and give place to joy and exultation.

LETTER IV.

Roxbury, April 14, 1773.

MR. *Samuel Adams*'s name will occur frequently in the courſe of our correſpondence; be it noted therefore, that the firſt time of his being returned for *Boſton*, and ſerving as a repreſentative, was upon an election occaſioned by the death of *Oxenbridge Thacher* eſq. The deceaſed belonged to the band of patriots; but when he happened to think differently from Mr. *Otis* jun. in the houſe of aſſembly, the latter treated him in ſo overbearing and indecent a manner, that he was obliged at times to call upon the ſpeaker to interpoſe and protect him. The ſtate of affairs required a particular

1765. Sept. 27.

ticular attention to the political ſentiments of the perſon who ſhould be choſen. The inhabitants, in fixing upon Mr. S. Adams, made choice of a member, who was zealouſly attached to the rights of the Maſſachuſetts in particular, and the colonies in general; and but little to his own perſonal intereſts. He was well qualified to ſecond Mr. Otis, and learned in time to ſerve his own public views by the influence of the other. He was ſoon noticed by the houſe, choſen, and continued their clerk from year to year, by which means he had the cuſtody of their papers; and of theſe he knew how to make an advantage for political purpoſes. He was frequently upon important committees, and acquired great aſcendency, by diſcovering a readineſs to acquieſce in the propoſals and amendments of others, while the end aimed at by them, did not eventually fruſtrate his leading deſigns. He ſhowed a pliableneſs and complaiſance in theſe ſmaller matters, which enabled him in the iſſue to carry thoſe of much greater conſequence; and there were many favorite points, which the ſons of liberty in the *Maſſachuſetts* meant to carry, even though the ſtamp-act ſhould be repealed.

1766. Mr. *Pitt*'s declaration againſt the parliament's right to impoſe *internal taxes*, and his ſaying *I am glad America has reſiſted*, were ſeized with eagerneſs by the popular leaders in the colonies. They praiſed and idolized him for the ſame, without regarding what he had declared, in favor of the authority of parliament in all caſes of *external taxation*, and for enforcing all laws for that purpuſe; and notwithſtanding his having ſaid, "If obedience be refuſed, I would not ſuffer a horſe-nail to be made in the plantations." Their ſpirits were elated,

and they took encouragement from his declaration, to fortify themſelves in their own ſentiments upon American liberty.

It is impoſſible to expreſs or deſcribe the extraordinary joy, with which the body of the Americans received the news of the repeal, though the power of the vice-admiralty courts remained unabridged, and the declaratory act was added. The latter was conſidered by ſome, as paſſed merely to ſave appearances, while contemned by others, whoſe wiſdom would have been more evident, had they repreſſed their contempt, whatever was their opinion. In regard to the former, "the judges of the vice-admiralty courts in the colonies had had aſſigned them, by acts of parliament, a juriſdiction for the recovery of penalties upon the laws of revenue and trade, without juries for near a century paſt *." Had a prudent and moderate temper taken poſſeſſion of all parties at this period, it had been happy; but they were ſo much heated in ſome colonies, as to be determined upon oppoſing each other.

When the choice of members for *Boſton*, to repreſent the town in the next general court, was approaching, Mr. *John Rowe*, a merchant, who had been active on the ſide of liberty, in matters of trade, was thought of by ſome influential perſons. Mr. *Samuel Adams* artfully nominated a different one, by aſking with his eyes looking to Mr. *Hancock*'s houſe, "Is there not another *John*, that may do better?" The hint took. Mr. *John Hancock*'s uncle was dead, and had left him a very conſiderable fortune. Mr. *Samuel Adams* judged, that the fortune would give credit and ſupport to the cauſe of

* The lords proteſt againſt the repeal of the ſtamp-act.

liberty;

liberty; that popularity would pleaſe the poſſeſſor; and that he might be eaſily ſecured by prudent management, and might make a conſpicuous figure in the band of patriots.

Meſſrs. *James Otis* jun. *Thomas Cuſhing*, *Samuel Adams*, and *John Hancock*, (who had never been of the houſe before) were returned for *Boſton*. The town of *Plymouth* made choice alſo of a new repreſentative, the high ſheriff of the county, *James Warren* eſq; a gentleman of real abilities, and who eſpouſed the ſide of liberty upon principle. The government wiſhed to have him on their ſide, and played off both threats and promiſes: however he was immoveable.

May 28. The general court met according to charter. The houſe of aſſembly choſe Mr. *Otis* ſpeaker. Governor *Bernard* negatived, inſtead of adopting the conciliating meaſure of accepting him. The acceptance might have ſoftened and induced him to have dropped the plan of leaving out of the council, in the new election, the crown officers and juſtices of the ſuperior court; but the refuſal confirmed him in it, and by irritating the houſe enabled him to execute it the more eaſily. The crown officers were the lieutenant governor and ſecretary, Meſſrs. *Hutchinſon* and *Oliver*; the others held only provincial commiſſions. The oppoſition aſſigned as the reaſon for leaving them out, that they might redreſs a grievance long complained of by their conſtituents, a dangerous union of legiſlative and executive powers in the ſame perſons. But the true ones probably were, the ſuſpicions and diſlike they entertained of and to their political ſentiments, and Mr. *Otis*'s having been negatived. Mr. *Bernard* retaliated, and excepted againſt the

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ſix counſellors choſen in the room of the others. Thus the animoſity was increaſed. Had he negatived two or three only, there might have been an opening for healing the breach; but now it was otherwiſe. The liberty party gained ſtrength, and it was ordered by the aſſembly, "That the debates of this houſe be open, and that a gallery be erected for the accommodation of ſuch as ſhall be inclined to attend them." A gallery was prepared with the utmoſt expedition, and finiſhed in a few days. It was viewed as a great acquiſition to the common cauſe; and certainly ſerved a double purpoſe. The admiſſion of the people at large, to hear the debates, and to watch the members, reſtrained ſome from ſpeaking with their uſual freedom in ſupport of governmental meaſures; and encouraged others to indulge themſelves in all that animated language, and thoſe ſolemn proteſtations of diſintereſted zeal for the rights and privileges of their country, which are ſo taking with men of honeſt minds and plain underſtandings. But you are not to ſuppoſe that theſe proteſtations were always true on this ſide of the Atlantic, any more than on yours. Many joined the banners of liberty, and violently oppoſed the governor and governmental meaſures, becauſe of the reſtraints they were under from the laws of trade, the danger they were in of ſuffering by them, and his perſiſting to give theſe laws all the ſupport in his power. The oppoſition had great advantage in the political conteſt, by branding all the ſupporters of government as friends to the ſtamp-act, though they knew to the contrary. Both ſides were ſenſible that the act was merely financial,

June 12.

without any regard to the political ſtate of America, or any purpoſe to remove one of its difficulties.

19. The houſe were unanimous in voting, that thanks ſhould be returned to the duke of *Grafton* and other noblemen, to Mr. *Pitt* and other gentlemen, who had been active and aiding in the repeal of the ſtamp-act. However, when his majeſty's recommendation to make up the loſſes of the ſufferers in the late unhappy times, came before them from the governor with theſe words, "The juſtice and humanity of this requiſition is ſo forcible, that it cannot be controverted; the authority with which it is introduced, ſhould preclude all diſputation about complying with it;" they objected to the manner in which it was propoſed, as being "derogatory to the honor of the houſe, and in breach of the privileges thereof," and unreaſonably declined making compenſation; whereas their privileges might have been preſerved uninjured, by a vote to relieve the ſufferers upon their own application, out of dutiful reſpect to the mild repreſentation of his majeſty, and out of humanity and generoſity to the ſufferers.

When a compenſation was firſt talked of, it was the general opinion, that it ought to be made, but that it was due from Boſton only, and not the province in general. This thought probably determined the Boſton members to oppoſe making the compenſation even out of the treaſury; a way in which it might have been done, had they and their friends joined the friends of government. But had the money been ordered out of the treaſury, a ſubſequent motion might have charged it upon Boſton, which as the tax bill was to be paſt at that time, would have been eaſily effected. The intereſt

of

of the town induced its members to employ every circumſtance to prevent the compenſation's being voted at preſent. After a while repeated advices were received, that the honor of parliament was engaged to ſee the compenſation made, and that they would certainly take it in hand, if the provincial aſſembly refuſed. It was obvious, that the parliament could enforce payment from a ſea-port. The people of Boſton grew uneaſy, that the money was not paid. A town-meeting was called: the abovementioned expedient was propoſed and approved of, and their repreſentatives were directed to uſe their influence, that compenſation might be granted upon thoſe principles, and the money be paid out of the treaſury.

Mr. *Hutchinſon* and the other ſufferers petitioned for relief *. Their petitions were conſidered; and on the queſtion being put, "Whether ſhall compenſation be made out of the province treaſury?" it paſſed in the negative. A bill however, was finally admitted for making compenſation, which was to be tranſmitted to the ſeveral towns, for the ſentiments of the conſtituents. Sept.

It paſſed to be engroſſed, yeas 53, nays 35; but not without the houſe's reſolving, "That it is under a full perſuaſion, that the ſufferers have no juſt claim or demand on the province."—A needleſs reſolve, tending to excite diſguſt in many, without anſwering any important purpoſe. The act granted compenſation to the ſufferers; and a free and general pardon, indemnity and oblivion to the offenders in the late times. It was diſallowed at home, on account of the aſſembly's having Dec. 5.

* Mr. Hutchinſon's loſs was 2396l. 3s. 1d½. Mr. Oliver's 129l. 3s. Mr. Hallowell's 289l. 9. 1½d. Mr. Story's, 50l. 11s. 6½d, all ſterling.

incorporated an act of pardon with an act of compenſation, without having obtained his majeſty's previous conſent to ſuch act of pardon. The ſufferers however received the compenſation, and the offenders were not proſecuted.

Nov. 7. In *Virginia* a bill paſſed the houſe of burgeſſes, for erecting a ſtatue to his majeſty, as an acknowledgment for repealing the ſtamp-act, and alſo an obeliſk to commemorate thoſe worthy patriots who diſtinguiſhed themſelves in bringing about that happy event. And at Dec. *New York*, an act was paſſed for making reſtitution to the ſeveral perſons therein named, for loſſes ſuſtained in the late commotions. But when the aſſembly was applied to, for carrying into execution the act of parliament of the preceding year, for quartering his majeſty's troops, they ſaid in their addreſs to the governor, Sir *Henry Moore*, "According to the conſtruction put on it here, it is required, that all the forces, which ſhall at any time enter this colony, ſhall be quartered during the whole year, in a very unuſual and expenſive manner: by marching ſeveral regiments into this colony, this expence would become ruinous and inſupportable; and therefore we cannot, conſiſtent with our duty to our conſtituents, put it in the power of any perſon (whatſoever confidence we may have of his prudence and integrity) to lay ſuch a burden on them:" and ſo juſtified their declining to provide for the troops.

Before cloſing the account of 1766, be it obſerved, that the people of *Connecticut* failed not to ſhow their reſentment againſt their late governor's having qualified, agreeable to what the ſtamp-act enjoined. There was a meeting of gentlemen at *Hartford*, for concerting a plan

plan for the choice of a new governor and counſellors, in the room of thoſe, who with him had taken the oath required. Matters were ſo managed at this meeting, that when the election came on, Mr. *Pitkin* was choſen governor, and colonel *Trumbull*, deputy governor. But the epiſcopalians, almoſt to a man, voted for Mr. *Fitch*; and by thus making a party with adminiſtration, againſt the claims and rights of their colony, rendered themſelves obnoxious.

The *Maſſachuſett's* houſe of aſſembly continued their oppoſition to the lieutenant governor, Mr. *Hutchinſon*, and reſolved, "That he not being elected a counſellor, has by the charter, no right to a ſeat at the council board, with or without a voice, while the commander in chief is in the province." March the fifth the council determined the ſame; but in their meſſage to the houſe, expreſſed their ſurpriſe at what had been done without them, and at its not being mentioned to the board till February the twenty-fourth. Mr. *Hutchinſon* afterward did not attempt to be preſent. Lord Shelburne, in anſwer to what was tranſmitted to him, by the governor upon the affair, wrote in September "the admiſſion of the lieutenant governor lies after all in the breaſt of the council only, as being the proper judges of their own privileges, and as having a right to determine whom they will admit to be preſent at their deliberations." Theſe proceedings of the *Maſſachuſett's* and *New York* aſſemblies, thought to be, in name at leaſt, two of the moſt conſiderable in the colonies, were aſcribed to an unreaſonable perverſeneſs of temper; and exaſperated the friends of America, by expoſing them, however unjuſtly, to the imputation of ſacrificing the

1767. Jan. 31.

intereſts of Great Britain to thoſe of America. They alſo encouraged the Anti-Americans to reſume the plan of taxing the colonies; and Mr. *Charles Townſend* pawned his credit to them, for effecting it, and became chancellor of the Exchequer. But, three of the miniſtry oppoſed in the council, taxing the Americans afreſh; and it would have been a bleſſing had their opinion prevailed.

May 13. The chancellor of the Exchequer moved for leave to bring in bills, for granting a duty upon paper, glaſs, painters colours, &c. in the Britiſh American colonies; for ſettling ſalaries on the governors, judges, *&c.* in North America; and for taking off the duty on teas exported to America, and granting a duty of threepence a pound on the importation in America. Two bills were at length framed, the one for granting duties in the Britiſh colonies in America, on paper, glaſs, painters colours, tea, *&c.* the other for taking off the duty of a ſhilling a pound on all black and Singlo tea, and for granting a drawback on teas exported to Ireland and America. The firſt received the royal aſſent June the twenty-ninth; the laſt July the ſecond. The preamble to the firſt act expreſſes, that the duties are laid, "for the better ſupport of government, and the adminiſtration of the colonies." The coloniſts deemed it unneceſſary, unjuſt, and dangerous to their moſt important rights. There is a clauſe in it, enabling the crown, by ſign manual, to eſtabliſh a *general civil liſt*, throughout every province in *North America*, to any indefinite extent, with any ſalaries penſions or appointments, to any unlimited amount, even to the produce of the laſt farthing of the American revenue. The point was now carried,

carried, which had been the object of every miniſter ſince the reign of Charles II. viz. *the eſtabliſhment of a civil liſt in America independent of the aſſemblies*. Mr. *Richard Jackſon* ſpoke in the houſe of commons againſt that part of the bill, and was ſupported only by Mr. *Huſke*, and no other member. He was convinced, that though the judges ought to be independent, both of crown and people, yet miſchiefs might ariſe from the independency of governors on the people, much greater than could ariſe from their dependence; and that it was not fit, that ſuch perſons as governors uſually are, ſhould be independent of the people, and dependent upon the crown for their governments. The act provides, that, after all ſuch miniſterial warrants under the ſign manual, as *are thought proper and neceſſary*, ſhall be ſatisfied, the reſidue of the revenue ſhall be at the diſpoſal of the parliament. But who can ſuppoſe, that ſuch warrants will ever be ſatisfied, till miniſters have provided for all their friends and favorites? May it not be ſaid upon the plan of this act, "the mockery of an American revenue proves at laſt to be the crumbs that fall from the miniſter's table—the reſidue indeed, of a royal warrant, counterſigned by the firſt lord of the Treaſury*?"

An account being received of *New York*'s having refuſed to provide for quartering the troops, Mr. *Grenville* and his adherents raiſed ſuch a clamor againſt America, that it was thought neceſſary to bring in a bill "for reſtraining the aſſembly of *New York* from paſſing any act, till they had complied with the act of parliament for the furniſhing his majeſty's troops with the neceſ- May 27.

* Mr. Hartley's letters.

ſaries required by that act;" and it had the royal aſſent the ſecond of July. The taking away in this manner from the province of *New York* all the powers of legiſlation, till they ſhould comply with the former act, occaſioned a general alarm among the Americans. They now ſaw that their own colonial parliaments, as they conſidered them, were to be bound to what the Britiſh miniſtry might deem their good behaviour, by the acts of a Britiſh parliament. Nothing could be more grating to the ſons of liberty in every province. It was the club of power which, while it knocked down the *New York* aſſembly, threatened every other with the like, if not pliable.

A plan of a board of commiſſioners for the American department, in order to eaſe the old board of commiſſioners of part of its burden through increaſing buſineſs, had been in contemplation. It was intended to be placed in London, in order to be near the treaſury, the ultimatum of revenue matters. Mr. *Paxton* thought to be the moſt plauſible and inſinuating of mankind, though not the moſt ſincere, having left Boſton and gone to Britain, had free acceſs to the chancellor of the exchequer, Mr. *Charles Townſend*. It is ſaid, that he whined, cried, profeſſed, ſwore, and made his will in favor of that great man; and then urged the neceſſity of an *American board of commiſſioners*, and his having a ſeat at it. He might forward the buſineſs. Be that as it may, the chancellor brought in a bill for eſtabliſhing a cuſtom-houſe and a board of commiſſioners in America, which alſo paſſed into an act at the ſame time with the former. Mr. Paxton, for his own convenience and pleaſure, might procure the fixing the board at Boſton; but of all

June 3.

places

places it was the moſt improper. The people were of all others the moſt jealous of infringements on their liberties; and were the leaſt ſuited to ſee crown officers living among them in great ſtate, upon what they could not but deem, from the mediocrity of their own circumſtances, large ſalaries, payable from the revenue, to be raiſed from the colonies. The board ſhould have been placed at *New York*. Smuggling was as prevalent there as at Boſton. The inhabitants had been long uſed to crown officers with ſplendid appearances; the commanders of his majeſty's troops reſided much among them; numbers of them lived in a higher ſtile than the Boſtonians; beſide, there the commiſſioners would have had forces at hand to have ſupported them, and have met with greater aſſiſtance from the ſervants of a royal government and their connections. The timing alſo, as well as the placing of the board, was rather unfortunate; for it ſupplied the Americans with the opportunity of propagating, that it was appointed merely to enforce the new duties. By this means the people were inflamed, and the appointment was pronounced unconſtitutional and oppreſſive. The duties were to take place after the twentieth of November; and in the beginning of that month, three of the commiſſioners, *Henry Hulton*, *William Burch*, and *Charles Paxton* eſqrs. arrived at Boſton: the other two, *John Temple* and *John Robinſon* eſqrs. were in America before. As to the expence of the board of cuſtoms, including the whole, it was a thouſand pounds leſs than that of the four ſurveyors general, and the office connected with them at London. The chancellor had been inſtrumental in reviving thoſe American animoſities, which the repeal of the ſtamp-

act

act had quieted; but did not live to ſee the fatal conſequences which have followed, as he died the fourth of September.

Oct. 28. A few gentlemen at a private club in *Boſton*, having ſuggeſted a non-importation agreement, the thought was improved upon, till at length the inhabitants, at a town meeting, agreed upon meaſures to promote induſtry, œconomy, and manufactures; thereby to prevent the unneceſſary importation of *European* commodities. They alſo voted, that a ſubſcription paper ſhould be prepared, and a committee appointed to procure ſubſcriptions to it; by which the parties engaged to encourage the uſe and conſumption of all articles manufactured in any of the Britiſh American colonies; and after the thirty-firſt of December following, not to purchaſe certain enumerated articles imported from abroad.

The failure of expected ſucceſs from theſe meaſures, and an apprehenſion of diſagreeable conſequences from an ineffectual oppoſition, were probably the motives that induced Mr. *Otis*, at a ſubſequent town-meeting, to make a long ſpeech on the ſide of government, wherein he aſſerted the king's right to appoint officers of the cuſtoms, in what number and by what denomination he pleaſed; and that as to the new duties, it would be very imprudent in the town to make an oppoſition to them, when every town in the province, and every other province in America ſeemed to acquieſce in them and be contented. But the propoſed meaſures were afterward approved of and adopted at *Providence* and *Newport*.

Nov. 20.

Dec.

1768. Jan. The *Connecticut* towns and *New York* followed the example. Still the buſineſs labored without being productive

ductive of any important effects. This engaged the attention of one captain Malcolm, a ſmall trader, who about eighteen months before had made himſelf famous by a violent and ſucceſsful reſiſtance with ſword and piſtol, to the cuſtom-houſe officers, when endeavouring to ſearch his houſe for uncuſtomed goods, under the authority of a writ of aſſiſtance. Having, about the middle of February, ſafely run the cargo of a ſchooner from Fyall, conſiſting of about ſixty pipes of wine, he within two or three days procured a meeting of ſome merchants and traders, at which he preſided. Nothing was determined upon more, than the calling of a general meeting of the merchants on Friday, March the fourth. This may be ſtiled the firſt movement of the merchants againſt the new acts of parliament. The reſult of this meeting was, that a ſubſcription for not importing any Engliſh goods, except for the fiſhery, for eighteen months, ſhould be prepared and carried round the town. It met with no great encouragement, and many declined ſubſcribing. On this, all engines were ſet to work; ſome were threatened and made afraid for their perſons and houſes; others for their trade and credit. By ſuch means the ſubſcription was filled. But the merchants of New York and Philadelphia declining to concur in the meaſure, thoſe of Boſton were obliged to give it up for the preſent. However they renewed it within a few months, as you will learn below.

The *New England* ſpirit of patriotiſm and œconomy was greatly approved of at *Philadelphia*; and it was ſaid, that "If America is ſaved from its impending danger, New England will be its acknowledged guardian." Periodical pieces were publiſhed at Boſton, on the nature and

extent of Britiſh parliamentary power. Hints were thrown out about independency: and intimations given, that freemen were not to be governed any more than taxed but by their own conſent, in real or virtual repreſentatives. The power of Britiſh legiſlation over the Americans was queſtioned, and virtually denied. Matters were brought to this length, by broaching anew a diſpute that ſhould never have been moved again; and which might happily have lain dormant for half a century or more, had no freſh attempt been made to tax the Americans. Before the ſtamp-act, they allowed the mother country a certain prerogative over them. They acquieſced in the parliament's right to make many acts, binding them in divers internal matters, and regulating their trade. They did not reaſon neither then nor immediately after the repeal, "if the parliament has no right to tax us *internally*, they have none to tax us *externally*, or to make any other law to bind us." They admitted the diſtinction between internal and external taxation, and between raiſing money from the regulation of trade, and raiſing it for the purpoſes of a revenue. The wiſdom of parliament ſhould have abode by their conceſſions, and have adopted and confirmed their diſtinction. But being obliged to enter afreſh the field of political controverſy, great numbers began to think, that the want of repreſentation in parliament freed them abſolutely from any obedience to the power of the Britiſh legiſlature; and that there was no real, and only a nominal difference between internal and external taxation, agreeable to what was inſiſted upon by the party oppoſing the repeal of the ſtamp-act. *John Dickinſon* eſq; began ſo early as in November 1767 to employ his

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pen againſt the acts which had been paſſed, in a ſeries of *Letters from a Farmer in Pennſylvania to the Inhabitants of the Britiſh Colonies.* They amounted to twelve; and in them he ably maintained the rights of the coloniſts. He cloſed with a poſtſcript in theſe words: "Is there not the greateſt reaſon to hope, if the univerſal ſenſe of theſe colonies is immediately expreſt by *reſolves* of the aſſemblies in ſupport of their rights, by *inſtructions* to their agents on the ſubject, and by *petitions* to the crown and parliament for redreſs, that thoſe meaſures will have the ſame ſucceſs now that they had in the time of the ſtamp-act?" The inhabitants of Boſton were ſo ſenſible of the eminent ſervice he did to the common cauſe, that they wrote to him upon the occaſion. In his anſwer, April the eleventh, he ſaid, "Never will my heart become inſenſible till inſenſible of all worldly things, of the unſpeakable obligation I owe to the inhabitants of the *Maſſachuſetts Bay*, for the vigilance with which they have watched over, and the magnanimity with which they have maintained, the liberties of the *Britiſh* colonies on this continent." It was probably owing to Mr. *Dickinſon*'s publications, that the *Pennſylvania* aſſembly, early in February, before they knew what meaſures the *Maſſachuſetts Bay*, or any other colony, would purſue, took into conſideration the act impoſing duties on paper, glaſs, &c. and gave poſitive inſtructions to their agents, to unite with other agents in applying to parliament and praying relief.

It may be juſtly concluded, from governor *Bernard*'s letters to lord Shelburne, that the Maſſachuſetts aſſembly were inclined to bury in oblivion the diſcords occaſioned by the ſtamp-act, and to eſcape other ſubjects of

future controverſy, had not the late chancellor unhappily revived the animoſities. "The houſe, (ſays the governor) from the time of opening the ſeſſion to this day, has ſhewn a diſpoſition to avoid all diſpute with me; every thing having paſſed with as much good humor as I could deſire, except only their continuing to act in addreſſing the king, remonſtrating to the ſecretary of ſtate, and employing a ſeparate agent. It is the importance of this innovation, which induces me to make this remonſtrance at a time when I have a fair proſpect of having, in all other buſineſs, nothing but good to ſay of the proceedings of the houſe *."

"They have acted in all things, even in their remonſtrance, with temper and moderation: they have avoided ſome ſubjects of diſpute, and have laid a foundation for removing ſome cauſes of former altercation †."

"I will make ſuch a prudent and proper uſe of the letter as, I hope, will perfectly reſtore the peace and tranquillity of this province, for which purpoſe conſiderable ſteps have been made by the houſe of repreſentatives ‡."

Jan. 21. The *Maſſachuſetts* houſe of repreſentatives, in a debate upon the "expediency of writing to the aſſemblies of the other colonies upon the continent, with reſpect to the importance of joining with them," put a queſtion on the propoſition of writing letters, deſiring thoſe aſſemblies to join them, which was negatived for this very reaſon, becauſe containing the propoſition of joining. The houſe thought exceptions might be taken at it, as having a tendency to form combinations; and that it might be conſidered at home as the appointing another

* January 21, 1768. † January 30. ‡ February 2.

congreſs.

congreſs. It is an excellent rule of the houſe, that no vote ſhall be re-conſidered, unleſs the number of members preſent equals the number at its paſſing. When they had the ſame number, eighty-two, which makes a full houſe, a motion was made for re-conſidering the vote againſt applying to the other colonies; and the vote of re-conſideration was obtained by a large majority. The ſame day a committee was appointed to prepare a letter to be tranſmitted to the ſeveral houſes of repreſentatives and burgeſſes upon the continent, to inform them of the meaſures the houſe had taken with regard to difficulties they were apprehenſive would ariſe from the operation of ſeveral acts of parliament for levying duties and taxes on the American colonies. The committee, after deliberating a week, reported the letter, which being read in the houſe, was accepted almoſt unanimouſly, in the preſence of eighty-three members. It began thus: "Sir, the houſe of repreſentatives of this province have taken into their ſerious conſideration the great difficulties that muſt accrue to themſelves and their conſtituents, by the operation of ſeveral acts of parliament impoſing duties and taxes on the American colonies." It then related the meaſures they had taken in petitioning the king making repreſentations to the miniſtry, &c. and concluded with, "the houſe is fully ſatisfied that your aſſembly is too generous and enlarged in ſentiment, to believe that this letter proceeds from an ambition of taking the lead, or dictating to the other aſſemblies. They freely ſubmit their opinion to the judgment of others, and ſhall take it kind in your houſe to point out to them any thing further that may be thought neceſſary. This houſe cannot conclude

Feb. 4.

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without expreſſing their firm confidence in the king, our common head and father, that the united and dutiful ſupplications of his diſtreſſed American ſubjects will meet with his royal and favorable acceptance."

Feb. 25. *Peter Gilman* eſq; ſpeaker of the *New Hampſhire* aſſembly, wrote, by order of the houſe, in anſwer to the Maſſachuſetts circular letter—" The ſentiments contained in it are highly approved, and the communication kindly received and gratefully acknowledged. The time of the houſe's exiſtence in that relation is near expiring; they can't engage for their ſucceſſors, and can only expreſs their ſatisfaction in the Maſſachuſetts proceedings, and declare their hopes, that the next aſſembly will heartily concur in ſentiments on this affair, and purſue the ſame method." The letter ran in the higheſt recommendatory ſtrain of the Maſſachuſetts-Bay aſſembly; and concluded with, " What remains for us at preſent is to offer our daily prayer to the Governor and Lord of the univerſe, to avert the impending evil, and to make way for the full eſtabliſhment of Britiſh liberty in every branch of it, and to quiet every colony in all the enjoyment of all their civil and religious rights and privileges." For theſe courtly expreſſions, with which the houſe declined doing any thing in the buſineſs, the next aſſembly was rewarded with courtly commendations. The governor, *John Wentworth* eſq; in a meſſage of October the twentieth, communicated the copy of the following extract of a letter from Lord *Hillſborough*, of July the ninth: " It is his majeſty's pleaſure that you ſhould aſſure his faithful ſubjects in *New Hampſhire*, that his majeſty has nothing more at heart than to promote their welfare and happineſs, whoſe cheerful obe-

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dience to the laws of this kingdom, and ſteady reſolution in refuſing to accede to the meaſures and propoſals which have been urged with ſo much indecent warmth in other colonies, cannot fail to recommend them to his royal favor and countenance." The aſſembly however, nine days after, petitioned the king, and mentioned that his royal predeceſſors granted them a power of legiſlation, limited to the approbation or diſallowance of the crown, with the powers and privileges eſſential to Britiſh liberty, of raiſing internal taxes by their own repreſentatives. The petition was moſt profoundly humble; and ſo ſoftly worded, that it could not offend the moſt delicate ear of the higheſt parliamentary prerogative man. By ſome accident or contrivance, it was not ſent till antiquated and out of ſeaſon. Mr. *Wentworth* had gained an aſcendency over the people of his government, by which he kept them from entering into any ſuch ſpirited meaſures for the redreſs of grievances as would be offenſive to miniſtry. The other colonies adopted a different line of conduct. The *Virginia* houſe of burgeſſes applauded the *Maſſachuſetts* repreſentatives for their attention to American liberty; took notice of the act ſuſpending the legiſlative powers of *New York*; and ſaid, "If the parliament can compel the colonies to furniſh a ſingle article to the troops ſent over, they may by the ſame rule, oblige them to furniſh clothes, arms, and every other neceſſary, even to the pay of the officers and ſoldiers, a doctrine replete with every miſchief, and utterly ſubverſive of all that is dear and valuable." The counceil concurred with them in all their proceedings; and their agent was enjoined to conſult the agents of the other colonies, and to co-operate with them in ap-

plying for redreſs. Moſt of the aſſemblies upon the continent, as they had opportunity, approved of the doings of the Maſſachuſetts, and harmonized with them in reſolves and petitions. But an account of their doings
April 22. had not reached Great Britain long, ere Lord *Hillſborough* wrote to governor *Bernard* upon the occaſion. For want of fuller and juſter information, or of due attention to the governor's expreſſions, the proceeding which originated the circular letter, was mentioned—" as unfair, contrary to the real ſenſe of the aſſembly, and procured by ſurpriſe; and therefore" upon this miſtaken principle, the governor was inſtructed, " ſo ſoon as the general court is again aſſembled, to require of the houſe of repreſentatives, in his majeſty's name, to reſcind the reſolution which gave birth to the circular letter from the ſpeaker, and to declare their diſapprobation of, and diſſent to that raſh and haſty proceeding." In caſe they refuſed to comply, he was immediately to diſſolve them, and to tranſmit to his lordſhip an account of their tranſ-
June 21. actions. The houſe was informed of what was required; and three days after, of what they were to expect if unpliable. Their reſolution not being returned within ſix days of the laſt part of the information, the governor ſent them word he could wait no longer, which haſtened the buſineſs in which they were engaged.

30. A committee of the houſe reported a letter to Lord *Hillſborough*, ſetting forth the ſeveral votes and reſolutions which paſſed in the laſt houſe of repreſentatives, relating to the circular letter; and ſhowing that the whole of theſe matters was tranſacted in the height of the ſeſſion in a full houſe, and by a large majority. The letter was approved of by 93 out of 105 members preſent,

preſent, and ordered to be tranſmitted to his lordſhip. The houſe agreed alſo upon a meſſage to the governor, in which they ſaid, "It is to us incomprehenſible that we ſhould be required, on the peril of a diſſolution of the general court, to reſcind a reſolution of a former houſe, when it is evident, that that reſolution has no exiſtence but as a mere hiſtorical fact. Your excellency muſt know, that the reſolution is, to ſpeak in the language of the common law, not now executory, but to all intents and purpoſes executed. If, as is moſt probable, by the word reſcinding is intended the paſſing a vote, in direct and expreſs diſapprobation of the meaſure taken by the former houſe as illegal, inflammatory, and tending to promote unjuſtifiable combinations againſt his majeſty's peace, crown and dignity, we muſt take the liberty to teſtify and publicly declare, that we take it to be the native, inherent, and indefeaſible right of the ſubject, jointly or ſeverally, to petition the king for the redreſs of grievances; provided alway, that the ſame be done in a decent, dutiful, loyal and conſtitutional way, without tumult, diſorder and confuſion.—If the votes of the houſe are to be controlled by the direction of a miniſter, we have left us but a vain ſemblance of liberty.—We have now only to inform you, that this houſe have voted *not to reſcind*, and that on a diviſion on the queſtion, there were ninety-two nays, and ſeventeen yeas." The meſſage was firm, patriotic, and ſpirited; and in ſome parts alluſively ſevere upon the governor; but every where decently expreſſed. The reſcinders were governmental receivers or expectants. They had, or looked for a reward, for their crouching

July 1. compliance. The next day the governor paſſed ſome neceſſary acts, and then diſſolved the aſſembly. It is ſcarce conceivable how a new aſſembly of repreſentatives could think themſelves capable of being more groſsly inſulted, than by being made accountable for the proceedings of a diſſolved and dead one, and by being puniſhed with immediate deſtruction for not declaring themſelves of oppoſite ſentiments to their predeceſſors. Mr. *Otis* in his ſpeech againſt reſcinding ſaid, "When Lord Hillſborough knows that we will not reſcind our acts, he ſhould apply to parliament to reſcind theirs. *Let Britain reſcind their meaſures or they are loſt for ever.*" His ſpeech by the patriotic enthuſiaſts was extolled to the ſkies; and by the governmental ones, was declared to be the moſt violent, inſolent, abuſive, treaſonable declamation, that perhaps was ever delivered. While the matter of reſcinding was under conſideration, the houſe received an anſwer from *Virginia*, and one from *New Jerſey*, which, though not ſo very high as the other, was far from being unfavorable. They had alſo intelligence, that they might expect the like from other aſſemblies: theſe circumſtances probably increaſed the majority againſt reſcinding. Had it not been for the mandate to reſcind, the ſeſſions might have terminated proſperouſly and peaceably: for Mr. *Otis*, though he had diſtinguiſhed himſelf by carrying the objections to the authority of parliament to the greateſt length, had retracted all his former opinions, in a ſet ſpeech at the opening of it. He ſaid, he had fully informed himſelf of the relation between Great Britain and her colonies; and was convinced that the power of parliament over her colonies

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was abſolute, with this qualification, that they ought not to tax them until they allowed them to ſend repreſentatives; and that if the colonies had repreſentatives, the power of parliament would be as perfect in America as in England. He then argued for an American repreſentation. This ſurpriſed the aſſembly, and induced a member on the ſide of government to charge the oppoſition with the intention of making an American repreſentation neceſſary, by denying the authority of parliament over them becauſe not repreſented. The anſwers of the other party were thought to ſtrengthen the ſuſpicion. Upon which Mr. Timothy Ruggles pointedly ſaid, that as they were determined to have repreſentatives, he begged leave to recommend to them a merchant, who would undertake to carry their repreſentatives to England for half what they would ſell for when they arrived there. But the beſt argument to have ſilenced any of the oppoſition, who might intereſtedly hanker after an American repreſentation, would have been to have repeated the reſolve of the houſe on the 29th of October 1765—"A repreſentation in parliament of the inhabitants of the province, ſuch as the ſubjects in Britain actually enjoy is impracticable for the ſubjects in America." The day before Lord *Hillſborough* wrote to Mr. *Bernard* upon the buſineſs of reſcinding, a circular letter was written to the governors of the reſpective provinces, to accompany a copy of that of the *Maſſachuſetts*, in which his lordſhip ſaid, "It is his majeſty's pleaſure, that you ſhould immediately, upon the receipt hereof, exert your utmoſt influence to defeat this flagitious attempt to diſturb the public peace, by prevailing upon the aſſembly of your province to take

no notice of it, which will be treating it with the contempt it deſerves." He then added a cloſing paragraph meant to influence the aſſemblies into a compliance. The circular letter was in ſome inſtances received in time, but produced a very different effect from what was intended. The *New York* aſſembly had felt the weight of the parliament's high diſpleaſure, and been bereaved of legiſlative power, till they ſhould comply with the billetting act. In the beginning of the year, they voted the ſum wanted to the general, for the purchaſe of ſalt, pepper and vinegar, inſtead of paſſing an act conformable to the parliament's act, which vote was accepted. But when they met at the cloſe of the year, after having completed a petition to his majeſty, another to the lords, and a remonſtrance to the commons, they proceeded to conſider the circular letters from the aſſemblies of *Maſſachuſetts-Bay* and *Virginia*, and unanimouſly agreed to anſwer them in the moſt reſpectful manner. They then entered into ſome very ſpirited reſolves in favor of liberty and the rights of their conſtituents; and appointed a committee to correſpond and conſult, with any other his majeſty's ſubjects out of the colony, either individually or collectively, on any matter or thing whatſoever, whereby the rights or privileges of the houſe or its conſtituents might be affected. Theſe doings occaſioned their being diſſolved.

We are now entering upon another intereſting period. It had been the common practice for the tide waiter, upon the arrival of a veſſel, to repair to the cabin, and there to remain drinking punch with the maſter, while the ſailors and others upon deck were employed in landing the wines, molaſſes, or other dutiable goods. The com-

commiſſioners of the cuſtoms were determined that the laws of trade ſhould be executed.

Upon the arrival of Mr. *Hancock*'s ſloop *Liberty*, *Nathaniel Barnard* maſter, from *Madeira*; the tideſman, *Thomas Kirk*, went on board in the afternoon. Captain *Marſhall*, in Mr. *Hancock*'s employ, followed; and about nine in the evening, made ſeveral propoſals to *Kirk*, which being rejected, captain *Marſhall*, with five or ſix others, laid hold of, overpowered, and confined him below for three hours, in which time the wine was taken out, before entry had been made at the cuſtom-houſe or naval office. *Marſhall* threatened *Kirk*, in caſe of diſcovery. The captain wrought ſo hard in unloading the ſloop, that his ſudden death, that night, while in bed, before aſſiſtance could be obtained, was generally believed to have been owing to ſome injury received from his uncommon exertions. The next morning the maſter entered, as it is ſaid, four or five pipes, and ſwore that was the whole of his cargo. It was reſolved to ſeize the ſloop for a falſe entry's being made; though it was thought by many that no one would undertake the buſineſs.

Mr. *Joſeph Harriſon* the collector, and Mr. *Benjamin Hallowell* the comptroller, repaired to Hancock's wharf. Mr. *Harriſon* objected to the unſeaſonableneſs of the time, being between ſix and ſeven, when the lower claſs of people were returning from their day labor. The ſeizure however was made before ſun-ſet, ſo as to be perfectly legal. Mr. *Harriſon* thought the ſloop might lie at the wharf, after clapping the broad arrow upon her; but Mr. *Hallowell* judged it would be beſt to move her under the guns of the *Romney*, and made ſignals for her June 10.

boats to come aſhore. The people upon the wharf cried out, "There is no occaſion, ſhe will lie ſafe, and no officer has a right to remove her;" but the maſter of the man of war cut her moorings and carried her off. Every mean was uſed to interrupt the officers in the execution of their buſineſs, and numbers ſwore that they would be revenged. A mob was ſoon collected, which increaſed to a thouſand or two, chiefly of ſturdy boys and negroes. The minds of the people were inflamed by the ſeizure and removal of the veſſel. They had been before irritated, by the captain of the man of war's preſſing ſome ſeamen belonging to the town; add to that, their averſion to the board of commiſſioners, the popularity of the owner, and the name of the ſloop—theſe of courſe excited their reſentments, and wrought them up into a combuſtible body. Captain Malcolm, who was deeply engaged in running the wines, headed a number of men after the ſeizure, and was very active in attempting to prevent the ſloop's being removed. Mr. *Harriſon* was pelted with ſtones, bricks, and dirt, and received ſeveral blows with ſticks, particularly one on the breaſt, ſo that it was with difficulty he could keep from falling; he was afterward confined to his bed from the injuries he had received. Mr. *Hallowell*, Mr. *Irving*, inſpector of imports and exports, and the collector's ſon were ſharers in the treatment. They all eſcaped with the utmoſt hazard of their lives. Mr. *Hallowell* was confined to his houſe under the care of a ſurgeon from wounds and bruiſes. Mr. *Richard Harriſon*, the collector's ſon, was thrown down, dragged by the hair of his head, and otherwiſe treated barbarouſly. Mr. *Irving* was beaten with clubs and ſticks; had his ſword broken

to pieces, and received a few ſlight wounds. The mob proceeded to the houſes of the collector and comptroller, broke their windows, and thoſe of Mr. *Williams* inſpector general, then dragged the collector's boat through the town, and burnt it on the common. This was on Friday evening. Saturday and Sunday evenings are ſacred; and the commiſſioners *Hulton*, *Burch*, *Paxton* and *Robinſon* eſqrs. remained pretty eaſy: during the outrages, to avoid inſults, they retired from their own to neighbours houſes. But receiving information, that further riots were intended, and the governor telling them, he could not protect them, and that there would be no ſafety for them in Boſton, conſidering the temper of the people; on Monday morning early, they ſent a card to the governor, to let him know that they were going on board the Romney, and deſired his orders for their reception at the caſtle, which he readily gave. They repaired firſt on board the man of war, and then proceeded from thence to the caſtle. The collector and comptroller, and moſt of the other officers of the cuſtoms withdrew, either then or afterward. On 13.
the Monday morning large numbers of people were gathered together, and to appearance regularly formed into parties, under their different leaders, in ſeveral parts of the town. If they meant any thing againſt the commiſſioners, they were diſappointed by their having withdrawn. In the afternoon printed tickets were put up, notifying a meeting of the ſons of liberty the next day at ten o'clock. This prevented all miſchief in the evening. At the appointed time, thouſands of the lower 14.
claſs met; but the day being rainy, numbers adjourned to Fanеuil hall, and there agreed to ſend the conſtables

about to notify a legal town meeting for the afternoon. Little elſe was done at this meeting, but the appointing a committee to wait upon the governor with a petition, the receiving his anſwer, writing a letter to a friend, and voting ſuch inſtructions as they thought proper to their repreſentatives. The common talk was, that the removal of the ſloop was an affront to the town, as it contained an inſinuation that ſhe would not have been ſafe if left at the wharf in cuſtody of a cuſtom-houſe officer. It was aſſerted, and very truly, that there had been no reſcue lately; but an invincible reaſon exiſted for it, as no ſeizure had been lately made. When captain Malcolm, more than a year and half back, oppoſed, in an armed manner, the officers in attempting to ſearch his houſe, ſuch a number of people aſſembled about it, when he had got the officers out and ſhut his gates againſt them, that they were glad to retreat without doing their buſineſs. This defiance of the law paſſed unnoticed and unpuniſhed, ſo that the officers never afterward attempted to make a ſeizure, although informations were not wanting, until the preſent time, when they were ordered by their ſuperiors. About a month after, a ſchooner was ſeized for having thirty hogſheads of molaſſes on board, and was left at the wharf in cuſtody of two cuſtom-houſe officers. July the eighth at night, thirty men boarded her, confined the officers to the cabin, and carried off the molaſſes. The towns-people were diſſatisfied that their declarations concerning the ſloop Liberty, that ſhe would have been ſafe if left at the wharf, ſhould be ſo ſoon falſified. The ſelect men ſent for the maſter, and ordered him to return the molaſſes directly, under pain of the diſpleaſure

of

of the town. It was immediately done, and the molaſſes put on board again, the day after it was conveyed away.

The day before the town meeting of June the fourteenth, a committee of both houſes was appointed to inquire into the ſtate of the province. When they made their report, in ſpeaking of the affair on Friday the 30. tenth, they ſaid, "The ſeizure occaſioned a number of people to be collected, who from the violence and unprecedentedneſs of the procedure in carrying off the veſſel, *&c.* took occaſion to inſult and abuſe the officers and to commit other diſorders, *&c.*—Reſolved, that though the extraordinary circumſtances of ſaid ſeizure may extenuate the criminality, yet being of a very criminal nature and of dangerous conſequence, the two houſes declare their utter abhorrence and deteſtation of them, and reſolve that the governor be deſired to direct the attorney general to proſecute all perſons concerned in the ſaid riot, and that a proclamation be iſſued, offering a reward for making diſcovery, ſo as the rioters or abettors may be brought to condign puniſhment." Neither rioters nor abettors had any thing to fear from either proclamation or proſecution; and knew themſelves to be perfectly ſafe, notwithſtanding the report; but the politicians ſaw it was expedient to ſay ſomething to ſave appearances, and well-meaning perſons might join them, in the ſimplicity of their hearts, believing that the others intended their words ſhould be productive of the events to which they ſeemingly pointed. At the ſitting of the ſuperior court in Auguſt, the grand jury was found to have among them ſeveral of the abettors of the Boſton rioters, and particularly the famous captain

captain Malcolm, a circumſtance that neceſſarily quaſhed all informations and proſecutions, as it ſtrongly foreboded their iſſue.

The council in a letter to Lord *Hillſborough* inſinuated, that the commiſſioners had concerted a plan, with the deſign of raiſing a diſturbance by the ſeizure of the ſloop Liberty. The inſinuation muſt be placed to the ill will they bore to the commiſſioners, more than to any thing beſide. On the twenty-ninth of July, they ſaid, "The commiſſioners were not obliged to quit the town; there never had been any inſult offered to them; their quitting the town was a voluntary act of their own; we do not apprehend there was any ſufficient ground for their quitting it." But it appears from a manuſcript in Mr. *Hutchinſon*'s hand writing, that the commiſſioners applied, December the nineteenth, to each of the judges of the ſuperior court ſeparately, for their opinions upon four queſtions; and that after having conferred together, they were unanimouſly of opinion,

"That from the ſpirit which had been excited in the populace againſt all the commiſſioners of the cuſtoms, Mr. *Temple* excepted, they could not have remained long in ſafety at Boſton, after the ſeizure of the ſloop Liberty, but would have been in great danger of violence to their perſons and properties from a mob, which at that time it was generally expected would be raiſed for that purpoſe:

"That government was inſufficient to reſtrain, ſuppreſs or puniſh the ſeveral mobs which had been aſſembled ſince the fourteenth of Auguſt 1765; and that at the time of the commiſſioners retiring to the caſtle, there was

was no probability that the ſame authority could have had any greater force:

"That they could not have returned to town, and executed their commiſſion with ſafety, at any time after they withdrew, before the arrival of his majeſty's troops:

"And that they knew of no better meaſure that they could have taken, than retiring to Caſtle William."

Mr. *Temple* was excepted, for he was not obnoxious to the populace, being averſe to the eſtabliſhment of the board of commiſſioners, which leſſened both his ſalary and power. He wiſhed the diſſolution of it, and to be reſtored to his former place of ſurveyor general of the cuſtoms. Though the reſt of the commiſſioners could not have returned to have executed their commiſſion with ſafety, they might moſt probably have returned and been ſafe, had they declined executing the ſame, which however was not to be expected. They continued at, but were not confined to the caſtle. They rode about the country at pleaſure, without any interruption from the people.

The commiſſioners wrote to general Gage, colonel Dalrymple, and commodore Hood, deſiring troops to ſupport them in their office. Whatever this application might contribute toward the ſending of them, yet it certainly did not give riſe to it. Meaſures had been taken to procure them long before. Mr. *Paxton*, when in London the preceding year, told Mr. *Bollan* repeatedly, that Mr. *Hutchinſon* and ſome other of his friends were of opinion, that ſtanding troops were neceſſary to ſupport the authority of the government at Boſton; and that he was authorized to inform him of this their opinion. Moſt probably he was authorized to inform others June 15.

alſo.

alſo. Mr. *Bollan* was againſt ſending troops, and when there was a talk of doing it, endeavoured to prevent it, and freely related to a gentleman of conſiderable influence, what ſome of the principal merchants ſaid, that they who ſhould ſend over the ſtanding troops, would certainly be curſed to all poſterity *. But the diſpoſition of ſome to try the experiment was ſtrengthened by a letter from the commiſſioners to the lords of the treaſury received before the riot happened; and rendered efficacious upon the arrival of governor *Bernard*'s letters at the ſecretary's office, eſpecially that of March, giving an aggravated detailed account of a terrible diſturbance on the joyous anniverſary of the repeal of the ſtamp-act; which general *Gage*, in his of October to *Lord Hillſborough*, declared, from the beſt intelligence he could procure, to have been trifling. When the matter came to be conſidered, it was agreed to ſend troops to
June 8. Boſton. Accordingly, Lord *Hillſborough* in his ſecret and confidential letter to general *Gage*, wrote, "I am to ſignify to you his majeſty's pleaſure, that you do forthwith order one regiment, or ſuch force as you ſhall think neceſſary, to Boſton, to be quartered in that town, and to give every legal aſſiſtance to the civil magiſtrate, in the preſervation of the public peace, and to the officers of the revenue, in the execution of the laws of trade and revenue; and as this appears to be a ſervice of a delicate nature, and poſſibly leading to conſequences not eaſily foreſeen, I am directed by the king to recommend to you to make choice of an officer for the command of thoſe troops, upon whoſe prudence, reſolution, and integrity, you can entirely rely." And on the

* Mr. Bollan's letter to Mr. Hutchinſon, Auguſt 11, 1767.

eleventh, he informed the governor, that his majeſty, from the repreſentation made by him and the commiſſioners of the cuſtoms, had directed one regiment at leaſt to be ſtationed in Boſton, and to garriſon, and (if neceſſary) to repair the caſtle; and had ordered a frigate, two ſloops, and two cutters to repair to, and remain in the harbour of Boſton for ſupporting and aſſiſting the officers of the cuſtoms in the execution of their duty. His lordſhip's letter to Gage being dated two days before the riot occaſioned by the ſeizure of the ſloop Liberty, the order contained in it could not poſſibly be founded on ſuch riot; though the riot, with the ſubſequent tranſactions of the town, might be related as a reaſon in the reſolves afterward drawn up, exhibiting the neceſſity of ſending a military force to Boſton. But perſons in office are liable to fall into miſtakes, through the multiplicity and hurry of buſineſs, and for want of due conſideration, or better intelligence. In this way you may account for his lordſhip's ſigning a circular letter, to the governor and council of *Rhode Iſland*, to the following purpoſe—"Gentlemen, the king having obſerved, that the governors of his colonies have, upon ſeveral occaſions, taken upon them to communicate to their councils and aſſemblies, either the whole or parts of letters from his majeſty's principal ſecretary of ſtate, I have it in command to ſignify, that it is his majeſty's pleaſure, that you do not upon any pretence whatever communicate to the aſſembly, any copies or extracts of ſuch letters, unleſs you have his majeſty's particular directions." This was ſoon publiſhed in the *Providence* Gazette after being received. That colony chooſes its own governor annually, and he has neither

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right

right nor power to withhold from the aſſembly copies of any ſuch letters. Upon another occaſion his lordſhip gave orders to the governor of *Pennſylvania*, in caſe the aſſembly did not act conformable to what was expected, immediately to diſſolve them; whereas it is the inherent privilege of that houſe, to ſit on their own adjournments; and the governor has no power to diſſolve them.

Nov. 3. A month after the arrival of the troops at *Boſton*, Mr. *Hancock* was ſerved with a precept for 9000l. ſterling, by the marſhal of the court of Admiralty. The marſhal having arreſted him, demanded bail for 3000l. Five other gentlemen were arreſted for the like ſum. He and the five others gave bail. The commiſſioners proſecuted the ſuppoſed owner, and each perſon they imagined concerned in unloading the wines, for the value of the whole cargo and treble damages. The veſſel ſeized was reſtored after a long detention; and the ſuits in the court of Admiralty dropped, March the twenty-ſixth, 1769, by a declaration from the king's advocate, that his majeſty would proſecute no further. It was idle to think of ſupporting the proſecution by ſufficient evidence. Want of inclination or fear would prevent witneſſes appearing, and corruption would procure counter-evidence from men of no principle, who would juſtify themſelves from the proſecution's being built upon acts of parliament, to which they ſuppoſed the colonies owed no obedience; and would plead, as in too many inſtances is done at home, that it is not he who takes, but he who impoſes the oath, who is chargeable with the crime of ſwearing falſely. The law would not allow the proſecuted any coſts or damages. In this caſe

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the allowance would have been unreaſonable; the innocence of the parties could not have been urged in its behalf.

The coloniſts could not overlook the good effects produced by the former non-importation agreement; and were earneſt for playing off the ſame engine againſt the new attempts of miniſtry, to ſaddle them with the payment of taxes. About the beginning of April, ſeveral gentlemen of *Boſton* and *New York*, wrote to others at *Philadelphia*, in order to learn, whether they would unite with them, in ſtopping the importation of goods from *Great Britain*, until certain acts of parliament ſhould be repealed, which were thought to be injurious to their rights, as freemen and Britiſh ſubjects. A numerous meeting of merchants followed, when an addreſs was read to them. It ſet forth the claims of the colonies, and then went into an enumeration of grievances, which the coloniſts had long borne, and ſeemed willing to forget, had they not been alarmed afreſh by the late proceedings of the miniſtry. The addreſs remarked, that, in the act obliging the ſeveral aſſemblies to provide quarters for the ſoldiers, *&c.* a power is granted to every officer, upon obtaining a warrant from any juſtice (which warrant the juſtice is empowered and ordered to grant, without any previous oath) to break into any houſe by day or by night, under pretence (theſe are the words of the act) of ſearching for deſerters. It pointed out to them the danger they were in, of having erected over them a deſpotic government, to rule them as ſlaves. It called upon them to deliberate, by what means they might defend their rights and liberties, and obtain a repeal of the obnoxious acts. It

urged them to join in the meaſure propoſed by their brethren of *Boſton* and *New York*; and cloſed with "*United we conquer, divided we die.*" The *Pennſylvania* merchants agreed with the other colonies in opinion, that the revenue acts were unconſtitutional; but declined adopting the non-importation agreement, as they believed it to be premature. They knew that multitudes in Great Britain would ſuffer much by a ſuſpenſion of trade with her, whenever it ſhould be carried into execution; and judged that it ought not to be made uſe of, but as the laſt and moſt certain remedy, when petitions proved ineffectual. They ſaw clearly, that the acts were manifeſtly injurious to the Britiſh trade, and hoped the parliament would therefore find it expedient to repeal them; and were willing to allow a proper time for the repeals being effected. Theſe reaſons induced them to refuſe complying with the ſolicitations of their neighbours. But the merchants and traders of Philadelphia agreed upon a memorial, wherein they ſtated their grievances, which was tranſmitted to their mercantile friends in London; on whoſe aſſiſtance they relied for an application to government for relief; and this they hoped to obtain as to ſome of the chief, though it might not be all the articles of complaint.

But the *Boſton* merchants and traders, having been drawn in, partly by their connections with the politicians and the fear of oppoſing the popular ſtream, agreed upon a new ſubſcription paper, wherein they engaged as follows—"We will not ſend for or import from Great Britain, either upon our own account, or upon commiſſions, this fall, any other goods than what are already ordered for the fall ſupply."—"We will

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not

not ſend for or import any kind of goods or merchandiſe from Great Britain, *&c.* from the firſt of January 1769, to the firſt of January 1770, except ſalt, coals, fiſh-hooks and lines, hemp and duck, bar-lead and ſhot, wool-cards and card wire."—"We will not purchaſe of any factor or others, any kind of goods imported from Great Britain, from January 1769 to January 1770."—"We will not import, on our own account, or on commiſſions, or purchaſe of any, who ſhall import from any other colony in America, from January 1769 to January 1770, any tea, glaſs, paper or other goods, commonly imported from Great Britain."—"We will not, from and after the firſt of January 1769, import into this province any tea, paper, glaſs, or painters colours, until the act impoſing duties on thoſe articles ſhall be repealed." The ſubſcription paper was carried about town; and, at length, generally ſigned; though ſeveral reſpectable merchants remained non-ſubſcribers. The ſame month the *Connecticut* and *New York* merchants came into ſimilar agreements; and thoſe of *Salem*, the beginning of September. Some merchants had undoubtedly the foreſight to provide for an abſtinence from importation for a year, by unuſually large orders.

A report having been ſpread, that governor *Bernard* had intimated his apprehenſions, that one or more regiments were to be daily expected at *Boſton*, a meeting of the inhabitants was called, and a committee appointed to wait on him, to know the grounds of his apprehenſions, and to pray him to iſſue precepts forthwith for convening a general aſſembly. He acknowledged his having received thoſe informations which produced ſuch apprehenſions, but ſaid they were of a private na- Sept. 12.

ture. The calling of another aſſembly he told them could not be complied with, till his majeſty's commands were received. The anſwer being reported, it was re-
15. ſolved, "That the freeholders, and other inhabitants of the town of Boſton, will, at the peril of their lives and fortunes, take all legal and conſtitutional meaſures to defend all and ſingular the rights, liberties, privileges, and immunities granted in their royal charter." It was alſo declared to be the opinion of thoſe preſent, "That a ſuitable number of perſons to act for them as a committee in convention, with ſuch as may be ſent to join them from the other towns, ſhould be now choſen, in order that ſuch meaſures may be conſulted and adviſed, as his majeſty's ſervice, and the ſafety of the province may require." It was then voted, "That the ſelect men of Boſton ſhould write to the ſelect men of the other towns, to acquaint them with the foregoing reſolutions, and to propoſe, that a convention be held at Faneuil Hall in Boſton, on the twenty-ſecond inſtant." It was afterward voted, "That, as there is an apprehenſion, in the minds of many, of an approaching war with France, thoſe inhabitants who are not provided, be requeſted to furniſh themſelves forthwith with arms."

22. The *convention*, conſiſting of committees from ninety-ſix towns and eight diſtricts, met as propoſed; and after conference and conſultation, petitioning the governor, declaring that they only conſidered themſelves as private perſons, making loyal profeſſions, expreſſing their averſion to ſtanding armies, to tumults and diſorders, their readineſs to aſſiſt in ſuppreſſing riots and preſerving the peace, and recommending patience and regard to good order, they broke up and went home on Thurſday the twenty-ninth.

ty-ninth. Advice was received the day before, that the men of war and tranſports from Halifax, with ſome hundreds of troops, were ſafe arrived at Nantaſket harbour, a few miles below Caſtle William. Two days before the convention cloſed, they diſpatched a letter to Mr. *De Berdt*, containing a repreſentation of what had taken place, with ſuch papers and inſtructions as were judged moſt ſuitable to the circumſtances of their aſſembly.

When the news was firſt received of troops being ordered to Boſton, broad hints were thrown out that they ſhould never land; and to ſtrengthen the appearance of an intention to oppoſe them, a barrel was placed upon the beacon, ſuppoſed to be a tar barrel, to have been fired to call in the country upon the troops appearing, which was afterward found to be an empty nail barrel. Many of the deputies came down to the convention, with inſtructions and diſpoſitions to prevent the Boſtonians involving the province in the fatal conſequences of their own furious devices. Numbers were from the beginning, ſenſible of the impropriety and danger of their proceeding, and deſirous by a moderate conduct, to correct the one and ward off the other. The governor's meſſage to them after their addreſs was high, and might tend to keep ſome of them in awe, as the troops were thought to be at no great diſtance. When Mr. *Otis* joined them, inſtead of being violent, he was quite moderate; and when Mr. *Samuel Adams* attempted to launch out in the ſame free and unreſtrained language, to which he was accuſtomed in the houſe of repreſentatives, he was preſently ſilenced.

The convention having finiſhed in the above manner, the perſons juſt named aſſumed to themſelves the moderation

deration of thoſe whom they called together for very different purpoſes. The governor himſelf was not always wholly ignorant of what was going forward among the ſons of liberty. He kept up an acquaintance with ſome of them; and by that mean, at times, procured uſeful intelligence, while he gave his informers the ſtrongeſt aſſurance, that their names ſhould not be quoted, nor any communication be made of it, which could make them ſuſpected. Too much occaſion was given for this paragraph, which ſoon after appeared in the New York Journal.—"I blame the Boſtonians for having given ſome room for the idle reports of their deſigning to oppoſe the landing of the troops, by the ridiculous puff and bombaſt (for which our eaſtern brethren have always been too famous) of warning every man to provide himſelf with a good firelock, ammunition, &c. under the diſingenuous jeſuitical pretence of the proſpect of a French war, full as abſurd and hypocritical as is the pretence of a military eſtabliſhment in America for its protection and defence."

When the troops from Halifax were daily expected, the governor would have prevailed upon the council to have provided quarters for them in Boſton; but they refuſed, and in anſwer to what he advanced, ſaid, "The troops are by act of parliament, to be quartered no where elſe but in the barracks, until they are full; there are barracks enow at the caſtle to hold both the regiments; and it is therefore againſt the act to bring any of them into town." However, the orders of general Gage to lieutenant colonel *Dalrymple* were poſitive to land one of them at Boſton. But in the interim captain Montreſor, the engineer, arrived with letters of a ſubſequent

ſequent date, from gen. Gage for the governor and the colonel, wherein the general mentioned, that it being reported and believed from a number of private letters and the publications, that the people in and about Boſton had revolted, he had therefore ſent the captain to aſſiſt the forces, and enable them to recover and maintain the caſtle, and ſuch other poſts as they could ſecure. Upon this the colonel altered his plan, and concluded to land both regiments at Boſton without loſs of time. The fleet therefore was immediately put into motion, and by the next morning commanded the whole town. Every thing being fully prepared, near upon fourteen* ſhips of war lying with their broadſides to the town, having ſprings on their cables, and their guns ready for firing inſtantly upon the place, in caſe of the leaſt oppoſition; about one o'clock at noon, October the firſt, the troops began landing, under cover of the ſhips cannon, without moleſtation; and having effected it, marched into the common, with muſkets charged, bayonets fixed, drums beating, fifes playing, &c. making, with the train of artillery, upward of 700 men. In the evening, the ſelect men were required to quarter the two regiments in town, but abſolutely refuſed. One of the regiments however, being without their camp equipage, was humanely permitted to enter *Faneuil-hall* and its chambers, about nine o'clock at night, that ſo the men might enjoy a temporary ſhelter. The next being Lord's day, the town or ſtate houſe was opened in the evening, by

Oct. 1.

* The Launceſton of 40 guns, the Mermaid of 28, Glaſgow 20, Beaver 14, Senegal 14, Bonetta 10, and ſeveral armed ſchooners, beſides the Romney of 60 guns, and the other ſhips which had been ſome time in the harbour.

order of the governor, for the reception of the troops, who took poſſeſſion of all the chambers, except the one appropriated for the meeting of the council. He certainly ſtretched his authority in ſeveral points; but particularly in thus acting. This ſtep was an inſult not only to the town, as it was a great annoyance to the gentlemen and merchants, who had been accuſtomed to make the lower floor their exchange, but to the whole colony, as the repreſentatives chamber was now poſſeſſed by the ſoldiery. After the quarters of the troops were ſettled, the main guard was poſted directly oppoſite to, and not twelve yards from the ſtate houſe, with two field pieces pointed to it. It was with no ſmall indignation that the people beheld the repreſentatives chamber, court-houſe, and Faneuil-hall—ſeats of freedom and juſtice—occupied by troops; and guards placed at the doors, and the council paſſing through the guards in going to their own chamber. They reſented alſo the common's being covered with tents, and alive with ſoldiers; their marchings and counter-marchings to relieve the guards; the town's being a perfect garriſon, and the inhabitants being challenged by the ſentinels, as they paſſed and re-paſſed. Perſons devoutly inclined, complained much of being diſturbed at public worſhip on the ſabbaths, with drums beating, and fifes playing, to which they had never been accuſtomed in the Maſſachuſetts. Quarters being obtained for the troops, the council were required to provide barrack proviſions for them, agreeable to act of parliament; but reſolutely declined going into any meaſure which might be conſtrued into a ſubmiſſion to the ſaid act. The oppoſition of the council to the quartering of, and providing for the troops,

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was ſo encouraged and ſtrengthened by Mr. *James Bowdoin*, who was one of them, that Mr. *Hutchinſon*, in his letter of November 6, aſcribed the whole to his management. It was thought that the peaceable landing of the troops was not what ſome of the miniſtry either expected or deſired; and that they were in hopes, that the folly and rage of the town and colony would have led them into an hoſtile oppoſition, and thereby have afforded an opportunity for giving them ſome naval and military correction. Under this apprehenſion, the gentleman, who delivered the firſt diſpatches from governor Bernard, containing the account of the troops having landed, &c. narrowly watched the countenance and conduct of the perſon who read them, and was confirmed in ſuch opinion. But had he not poſſeſſed that opinion, it might not have been excited by what he obſerved. The ſentiments of the military differed ſo extremely from thoſe of the Boſtonians, who were unjuſtly viewed as rebelliouſly inclined, that it was not to be wondered at that they were inſulted and abuſed, and that quarrels ſhould enſue, though they did not proceed ſoon to a dangerous height. Undoubtedly the inhabitants could not be continually blameleſs: there would neceſſarily be ſome raſh and imprudent perſons among ſuch multitudes; but the greateſt raſhneſs and imprudence lay in the ſending of troops on a ſervice, which could have been effectually and better executed by a naval force properly ſtationed and employed. Ships of war might have poſſeſſed the harbour till the commiſſioners could have executed their office with ſafety.

The committee of merchants in *London* paid a due attention to the memorial ſent them by the merchants

and

and traders of *Philadelphia*, and took pains to obtain relief from the grievances therein complained of, though without effect. The department to which they applied, afforded little hopes of redreſs in a way that might put an end to the differences that had ariſen between Great Britain and her American colonies. The act impoſing duties on glaſs, paper, &c. was acknowledged to be inexpedient; but it was added, "Such has been the unjuſtifiable conduct of ſome in America, that the preſent juncture is not a proper ſeaſon for a repeal." Adminiſtration was firmly reſolved to oppoſe it with their utmoſt ſtrength, while it ſhould be inſiſted on by threats on the part of the coloniſts, for in that light they conſidered the ſteps which had been taken by them to obtain redreſs. It was ſaid, "If a proper diſpoſition appears in the colonies, and their merchants, in a ſucceeding ſeſſion, ſhall think proper to petition parliament on the principle of inexpediency only, there is every reaſon to believe that no part of adminiſtration will object to the repeal." But the miniſter did not declare what was the proper diſpoſition he expected. No ſooner were the *Philadelphians* appriſed, by the receipt of this information, that no hope remained of a repeal in that ſeſſion, than they unanimouſly entered into the very agreement, which ſome months before, when propoſed to them, they had declined: and it was their opinion, that as the agreement had been formed on mature deliberation, the people of the province would firmly adhere to it. Of this they gave notice to the committee of merchants in *London*, by letter of April 8, 1769. In that letter, remarking upon the information they had received, they wrote—"It would become perſons in

1769. April 8.

power

power to conſider, whether even the unjuſtifiable behaviour of thoſe who think themſelves aggrieved, will juſtify a perſeverance in a matter confeſſed to be wrong. Certain it is, that the wiſdom of government is better manifeſted, its honor and authority better maintained and ſupported, by correcting the errors it may have committed, than by perſiſting in them, and thereby riſking the loſs of the ſubjects affections. We are apprehenſive that perſons in power are greatly abuſed, and that the people of America have been groſsly miſrepreſented, otherwiſe the ſteps which they have taken to obtain redreſs, could never be looked upon as threats. Threats they never intended; but as all the American colonies were equally affected, it was thought that their joint petitions would have more weight; and for this end the ſeveral aſſemblies communicated their ſentiments to each other. This ſtep, to the inexpreſſible ſurpriſe of all America, is repreſented as "a flagitious attempt, a meaſure of a moſt dangerous and factious tendency, &c." The diſſolution of aſſemblies that followed, and the meaſures purſued to enforce the acts in America, awakened the fears, and exaſperated the minds of the people to a very great degree. They therefore determined not only to defeat the intent of the acts, by refraining from the uſe of thoſe articles on which duties were laid, but to put a ſtop to the importation of goods from Great Britain. This is the only threat we know of; and if this is ſufficient to engage the miniſtry to oppoſe a repeal of the acts, we apprehend the miniſtry muſt, by a change of meaſures, endeavour to regain the affections of the people before they can be induced to alter their determination."

"The

"The Americans conſider themſelves as Britiſh ſubjects, entitled to all the rights and privileges of freemen. They think there can be no liberty without a ſecurity of property; and that there can be no property, if any can, without their conſent, deprive them of the hard-earned fruits of their labor. They know that they have no choice in the election of the members of parliament; and from their ſituation, never can have any. Every act of parliament therefore, that is made for raiſing a revenue in America, is in their opinion, depriving them of their property without their conſent, and conſequently is an invaſion of their liberty."

"If then the acts cannot be repealed while the miniſtry objects, and if to remove the objections the Americans muſt give up their ſentiments, we muſt candidly confeſs we have little hopes of a repeal ever taking place; much leſs is it to be expected, that the merchants will preſume to petition parliament on the principle of inexpediency only, when every aſſembly on the continent are applying for a repeal on the principle of *right*."

"Happy had it been for both countries if the idea of raiſing taxes in America had never been ſtarted; however, if the acts complained of are repealed, and no other of the like nature are attempted hereafter, the preſent unhappy jealouſies will, we believe, quickly ſubſide, and the people of both countries in a ſhort time, return to their uſual good humor, confidence, and affection."

If miniſtry thought that the reſolves of the houſe of lords, the preceding December, would have put a ſtop to non-importation agreements and the ſpirited exertions

of the coloniſts, they ſoon found themſelves much miſtaken. It can ſcarce be imagined, but that ſome of the Philadelphia gentlemen had received the account of ſuch reſolves; for the above letter was in anſwer to London ones of January 4th and 26th, and yet they proceeded as has been related.

The reſolves cenſured the votes, reſolutions, and proceedings of the houſe of repreſentatives of *Maſſachuſetts* of January and February; as alſo the declarations, reſolutions and proceedings in the town of *Boſton*. They pronounced the election of deputies to ſit in convention, and the meeting of ſuch convention, daring inſults offered to his majeſty's authority, and audacious uſurpations of the powers of government. The lords then ordered an humble addreſs to be preſented to his majeſty; in which they expreſſed their ſatisfaction in the meaſures his majeſty had purſued; gave him the ſtrongeſt aſſurances, that they would effectually ſupport him in ſuch further ones as might be found neceſſary to maintain the civil magiſtrates, in a due execution of the laws, within the Maſſachuſetts-bay; and beſeeched him to direct the governor to take the moſt effectual methods for procuring the fulleſt information, touching all treaſons committed within that government ſince the 30th of December 1767, and to tranſmit the ſame, with the names of the perſons moſt active in the commiſſion of ſuch offences; in order that his majeſty might iſſue a ſpecial commiſſion for hearing and determining the ſaid offences, within the realm, purſuant to the ſtatute of the 35th year of *Henry* VIII.

The reſolutions and addreſs were ſent down to the houſe of commons for their concurrence. Colonel *Barre* oppoſed

oppoſed them; and directing himſelf to the miniſtry, ſaid, "Away with theſe partial reſentful trifles, calculated to irritate, not to quell or appeaſe, inadequate to their purpoſe, unworthy of us! Why will you endeavour to deceive yourſelves and us? You know that it is not this place only that diſputes your right, but every part. They tell you, that you have no right from one end of the continent to the other. My ſentiments of this matter you well know. Conſider well what you are doing. Act openly and honeſtly. Tell them, you will tax them; and that they muſt ſubmit. Do not adopt this little, inſidious, futile plan. They will deſpiſe you for it." However, on the ninth of February, they were agreed to and returned with ſome amendments; and the addreſs was ordered to be preſented by both houſes. The *Maſſachuſetts*, with becoming firmneſs, conſtantly aſſerted their rights, which drew down upon them miniſterial vengeance. They had no general aſſembly when the reſolves and addreſs reached America, the laſt having been diſſolved for refuſing to comply with the mandate to reſcind, and the time appointed by charter for calling another not being arrived. But the *Virginia* houſe of burgeſſes entered upon the ſubject. They met on the eighth of May, and on the ſixteenth took into ſerious conſideration the ſtate of the colony, being alarmed at the diſtreſs in which all America was likely to be involved. They came to ſeveral neceſſary reſolutions, copies of which they gave their ſpeaker, with particular directions to tranſmit them without delay, to the ſpeakers of the ſeveral houſes of aſſembly on the continent; whoſe concurrence in the like was requeſted.

Feb. 9.

May 16.

The

The reſolves expreſs, "That the ſole right of impoſing taxes on the inhabitants of the colony, is now, and ever hath been legally and conſtitutionally veſted in the houſe of burgeſſes, with conſent of the council, and of the king, or his governor for the time being—That it is the privilege of the inhabitants to petition their ſovereign for redreſs of grievances, and that it is lawful to procure the concurrence of his majeſty's other colonies in dutiful addreſſes, praying the royal interpoſition in favor of the violated rights of America—That all trials for treaſon, miſpriſion of treaſon, or for any felony or crime whatſoever, committed by any perſon reſiding in ſaid colony, ought to be in and before his majeſty's courts within ſaid colony; and that the ſeizing any perſon reſiding in the colony, ſuſpected of any crime whatſoever, committed therein, and ſending ſuch perſon to places beyond the ſea to be tried, is highly derogatory of the rights of Britiſh ſubjects, as thereby the inеſtimable privilege of being tried by a jury from the vicinage, as well as the liberty of producing witneſſes on ſuch trial, will be taken away from the party accuſed." Theſe reſolutions were followed by a humble addreſs to his majeſty, beſeeching his royal interpoſition to quiet the minds of his loyal ſubjects in the colony, and to avert thoſe dangers and miſeries, which will enſue from ſeizing and carrying beyond ſea the inhabitants of America to be tried in any other manner, than by the ancient and long eſtabliſhed mode of proceeding.

The next day Lord *Bottetourt* ſent for them, and ſaid, May 17. "Mr. ſpeaker and gentlemen of the houſe of burgeſſes, I have heard of your reſolves, aud augur ill of their effects. You have made it my duty to diſſolve you, and

and you are diſſolved accordingly." The gentlemen who compoſed the houſe, being reduced by the diſſolution to private perſons, repaired immediately to another place, that ſo they might conſider what meaſures were proper to be taken, and choſe the late ſpeaker *Peyton Randolph* eſq; moderator.

18. They entered into an aſſociation unanimouſly [which they ſubſcribed and recommended to all merchants, gentlemen, traders and others] againſt importing any goods taxed, and many other articles; againſt wines, againſt importing and purchaſing negroes, *&c.*

The next month, the *Maryland* gentlemen and merchants entered into a non-importation agreement ſimilar to the *Virginian*.

The *South Carolinians* followed the example.

The inhabitants of *Charleſtown* broke off all commerce with the *Rhode Iſlanders* and *Georgians*, whom they charged with having acted a moſt ſingularly infamous part, from the beginning of the preſent glorious ſtruggle for the preſervation of American rights. This had its effect, and *Georgia* came into the non-importation agreement September the nineteenth; *Providence* October the tenth; but *Rhode Iſland* not till the thirtieth.

Oct. The *North Carolina* aſſembly came to the like reſolutions with the *Virginia* houſe of burgeſſes, for which governor *Tryon* diſſolved them. Upon that, the gentlemen who had compoſed it, repaired to the court houſe, choſe the late ſpeaker moderator, and came to a reſolution for an aſſociation againſt importing, *&c.* conformable to what had been done elſewhere. Thus the non-importation agreement became general, and was forwarded by the very means applied for its prevention.

Meet-

Meetings of the aſſociators were regularly held. Committees were appointed to examine the cargoes of all veſſels arriving from Britain; and regular votes and reſolutions of cenſure were paſſed in thoſe meetings, upon ſuch as refuſed to concur in the aſſociations, and their names publiſhed in the news-papers as enemies to their country. The decrees of thoſe committees met with a reſpect and obedience denied to the conſtitutional authority of government. In ſome caſes goods imported from Britain were locked up in warehouſes, under the care of the committees, and in a few inſtances returned; *Portſmouth*, the only ſeaport in *New Hampſhire*, never came into the non-importation agreement. Governor *Wentworth* had addreſs enough to prevent it, and keep all quiet. There are few private ſchools in that colony, and the bulk of the people are very illiterate. If a perſon can write a note of hand, read a chapter, and cypher to the rule of three, he paſſes for a man of learning. Men, whoſe capacities remain ſmall for want of uſe and improvement, and who have little knowledge, are liable to be duped by thoſe who poſſeſs ſuperior rank and abilities. The aſſociations were as general, and in common as well obſerved as could be reaſonably expected, conſidering the diſadvantages and loſſes they neceſſarily occaſioned to many. But it is not to be thought, that there were no colluſions; that all the goods belonging to the profeſſing ſons of liberty, which were ſtored, remained in the warehouſes, without being conveyed out upon particular occaſions, and to ſerve certain purpoſes; that all, who had given their names or honors not to import, did not privately order ſome of

the prohibited articles to pleaſe themſelves, families or neighbours; that when, ſome months afterward, the zeal of the daughters of liberty, in ſeveral of the colonies, proſcribed the drinking of tea, and rendered the diſuſe of it a univerſal faſhion, all were ſo true to their engagements, as not to ſip their green or bohea in ſecret, or under a new name; and that all who aſſociated or agreed to the ſtoring of their goods, did it voluntarily and without compulſion. The fear or appearance of a mob often produced a compliance in perſons, who would have gladly retained their goods till they could have turned the ſame into caſh; and brought them to own, that they were willing that they ſhould be ſtored, juſt as they would have been willing at ſea to have thrown them overboard to eſcape perſonal ſhipwreck. The committees had the arts of perſuaſion; and in ſome places their moſt powerful arguments for reducing the obſtinate were not known to be uſed by them.

The importer is ſent for, and deſired to come into the agreement; he declines; he muſt ſell; his livelihood depends upon it. Arguments are uſed for his complying, and he is urged, ſoothed and entreated; but it avails nothing. He is determined at all hazards to diſpoſe of his goods as purchaſers offer. Some of the mobility, or their leaders, are told, that the importer cannot be prevailed upon. In a day or two he finds himſelf ſurrounded; in danger of an aſſault; is terrified; inquires the reaſon; and upon learning it, hurries to the committee; begs their interpoſition; complies with what was before deſired of him; hopes

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that they will reſtore him to the good graces of his fellow townſmen or citizens, and thanks them for their promiſed aſſiſtance, not in the leaſt ſuſpecting the depth of their contrivance. Every committee however, had not this prudent forecaſt, whereby to accompliſh their deſigns without expoſing their own characters.

We have hitherto omitted recording the tranſactions of the *Maſſachuſetts* aſſembly in the preſent year, the *Virginia* houſe of burgeſſes demanding a prior attention, but now proceed to them.

The general court being called together according to charter, a committee from the houſe of repreſentatives remonſtrated to his excellency, "That an armament by ſea and land inveſting this metropolis (*Boſton*,) and a military guard with cannon pointed at the door of the ſtate houſe where the aſſembly is held, are inconſiſtent with that dignity and freedom, with which they have a right to deliberate, conſult, and determine. They expect that your excellency will, as his majeſty's repreſentative, give effectual orders for the removal of the abovementioned forces by ſea and land out of this port, and the gates of this city during the ſeſſion of the ſaid aſſembly." The governor returned for anſwer, "Gentlemen, I have no authority over his majeſty's ſhips in this port, or his troops within this town." May 31.

He negatived eleven of the perſons elected to form the council. June 1.

The houſe in a meſſage to him declared—"The uſe of the military power to enforce the execution of the laws, is, in the opinion of this houſe, inconſiſtent with the ſpirit of a free conſtitution, and the very nature of go- 13.

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He negatived eleven of the perſons elected to form the council. June 1.

The houſe in a meſſage to him declared—"The uſe of the military power to enforce the execution of the laws, is, in the opinion of this houſe, inconſiſtent with the ſpirit of a free conſtitution, and the very nature of go- 13.

vernment. This military force is uncontrollable by any authority in the province: it is then a power without any check here, and therefore it is ſo far abſolute. What privilege! what ſecurity then is left to this houſe!"

It was not urged, whatever the caſe might admit; "The governor is the king's *locum tenens*, and his office entire. The chief civil and military authority being by the Britiſh and our conſtitution inſeparable, the king cannot ſever them. An independent military tends to the utter overthrow of the civil power. The operations of the great ſeal, which is *clavis regni*, cannot be controlled by the privy ſeal, the king's ſignet, ſign manual, or ſignification of his pleaſure by his ſecretary; in other words, our charter cannot be infringed by any of theſe."

The houſe firmly declined doing buſineſs ſurrounded with an armed force, ſo that the governor the next day adjourned the court to *Cambridge*.

July 6. His excellency ſent a meſſage to them, with the accounts of the expenditures already incurred by quartering his majeſty's troops, deſiring funds to be provided for diſcharging the ſame, and requiring a proviſion for the further quartering the forces in Boſton and Caſtle Iſland, according to act of parliament.

7. The houſe of aſſembly, as though they meant by it to deſpiſe the parliamentary reſolves, no leſs than maintain their own privileges, paſſed a number of reſolves, and among them the following:

"That a general diſcontent on account of the revenue acts, an expectation of a ſudden arrival of a military power to enforce ſaid acts, an apprehenſion of the troops being quartered upon the inhabitants, the gene-

ral court diſſolved, the governor refuſing to call a new one, and the people almoſt reduced to a ſtate of deſpair, rendered it highly expedient and neceſſary for the people to convene by their committees; to aſſociate, conſult, and adviſe the beſt means to promote peace and good order; to preſent their united complaints to the throne; and jointly to pray for the royal interpoſition in favor of their violated rights. Nor can this procedure poſſibly be illegal, as they expreſsly diſclaimed all governmental acts:

"That the eſtabliſhment of a ſtanding army in this colony, in time of peace, is an invaſion of natural rights:

"That a ſtanding army is not known as a part of the *Britiſh* conſtitution:

"That ſending an armed force into the colony under pretence of aſſiſting the civil authority, is highly dangerous to the people, unprecedented and unconſtitutional."

The laſt is the ſame with that of *Virginia*.

The governor called upon them to anſwer, whether 12.
they would or would not make proviſion for the troops.

The houſe by meſſage, after remarking upon the 15.
mutiny or billetting act, anſwered, "As we cannot conſiſtently with our own honor or intereſt, much leſs with the duty we owe to our conſtituents, ſo we never ſhall make any proviſion of funds for the purpoſes in your ſeveral meſſages." Upon that the governor prorogued them to the tenth of January to meet at Boſton.

South Carolina aſſembly, no leſs than the *Maſſachuſetts*, ventured to diſobey the mutiny act, and adopted ſimilar reſolutions to thoſe of *Virginia*. The *Maryland* lower

houſe entered partly into ſimilar ones, but the laſt was omitted, and the firſt more ſtrongly expreſſed. The *Delaware* Counties early followed the lead of *Virginia*, and adopted their laſt reſolve *verbatim*; and toward the cloſe of the year, the *New York* aſſembly concurred in their reſolves with Virginia.

The propoſal of parliament for tranſporting perſons from *America* in order to trial in *Great Britain*, purſuant to the ſtatute of *Henry* VIII. excited a general alarm through the continent. The procedure they recommended was not wholly without precedent. The caſe of Culpeper has been already related (p. 76.) Under queen Anne, in 1710, the ringleaders of an unnatural contention in *Antigua*, wherein the governor was murdered, were brought to Great Britain, tried, and many of them convicted and executed upon this ſtatute. Precedents however, will never reconcile ſenſible men to practices which, though legal, are fraught with cruelty, and liable to the moſt horrid abuſes. Beſide, the ſtatute was become obſolete.

The *Virginia* houſe of burgeſſes, in their addreſs to his majeſty, expreſſed themſelves with propriety upon this ſubject, "When we conſider, that by the eſtabliſhed laws and conſtitution of this colony, the moſt ample proviſion is made for apprehending and puniſhing all thoſe who ſhall dare to engage in any treaſonable practices againſt your majeſty, or diſturb the tranquillity of government; we cannot, without horror, think of the unuſual, and permit us, with all humility, to add unconſtitutional and illegal mode, recommended to your majeſty, of ſeizing and carrying beyond the ſea, the inhabitants of America ſuſpected of any crime, and of trying

trying ſuch perſons in any other manner, than by the ancient and long eſtabliſhed courſe of proceedings; for how truly deplorable muſt be the caſe of a wretched American, who having incurred the diſpleaſure of any one in power, is dragged from his native home and his deareſt domeſtic connections, thrown into a priſon, not to wait his trial before a court, jury or judges, from a knowledge of whom he is encouraged to hope for ſpeedy juſtice, but to exchange his impriſonment in his own country for fetters among ſtrangers. Conveyed to a diſtant land, where no friend, no relation will alleviate his diſtreſſes, or miniſter to his neceſſities, and where no witneſs can be found to teſtify his innocence, ſhunned by the reputable and honeſt, and conſigned to the ſociety and converſe of the wretched and abandoned, he can only pray, that he may ſoon end his miſery with his life."

We have been reviewing the noble and animated proceedings of the *Virginians* and others, in behalf of liberty; and cannot but regret, that the exiſtence of ſlavery and its effects among them, ſhould adminiſter the leaſt occaſion for any one's writing concerning them.—"The laſt reſolves of the Virginia burgeſſes deſerve a very hard name. It is indeed laughable, to ſee a few diſſipated baſhaws, tyrants over a parcel of wretched negro ſlaves, meet together and give themſelves airs againſt Great Britain upon the ſubject of liberty—this applies to all the ſouthern colonies. The ſpirit of independency in *New England* is more conſiſtent and characteriſtic of the people; but *Virginia* and the *Carolinas* are but *petit maitres* in the buſineſs *."

* Mr. M. H's letter to Mr. Hutchinſon.

It is time to croſs the Atlantic, and advert to what was doing in *Britain*. An attempt in the houſe of commons, to bring on a repeal of the obnoxious act before the ſeſſion cloſed, proved ineffectual. It was objected from every quarter, that it was not a proper time. Lord *North*'s language upon the occaſion was, "However prudence or policy may hereafter induce us to repeal the late paper and glaſs act, I hope we ſhall never think of it, *till we ſee* AMERICA *proſtrate at our feet*." When the ſeſſion was over, the miniſtry, with a view, it might be, of ſoothing the Americans into a better temper, managing their reſpective aſſemblies, and bringing them to retract their reſolutions and open the trade as before, gave out, that at the next ſeſſion the American grievances ſhould be redreſſed; and Lord *Hillſborough* wrote
May 13. a circular letter to every colony, mentioning "their intention to propoſe, in the next ſeſſion of parliament, taking off the duties upon glaſs, paper and colours, upon conſideration of ſuch duties having been laid contrary to the true principles of commerce;" and aſſuring each, that his majeſty's miniſters, "at no time entertained a deſign, to propoſe to parliament, to lay any further taxes on America, for the purpoſe of raiſing a revenue." Lord *Bottetourt*, following the directions he had received, ſo to explain meaſures as might re-eſtabliſh mutual confidence and affection between Great Britain and her colonies, made the matter known to the *Virginia* houſe of burgeſſes in a ſpeech, and then declared, "It is my firm opinion, that the plan which I have ſtated to you will certainly take place, and that it will never be departed from. I ſhall exert every power with which I am or ever may be legally inveſted,

in order to obtain and maintain, for the continent of America, that ſatisfaction which I have been authorized to promiſe this day, by the confidential ſervants of our gracious ſovereign, who to my certain knowledge rates his honor ſo high, that he would rather part with his crown, than preſerve it by deceit." The houſe in their addreſs to him, expreſſed their hope and confidence in a manner that implied fear and diſtruſt; but willing to make the beſt improvement of what his lordſhip ſaid, cloſed with—"We eſteem your lordſhip's information, not only as warranted, but even ſanctified by the royal word." The conduct of miniſtry contained the idea of a public renunciation of all further future taxation of America for a revenue; and the houſe appeared to view it in that light.

But the circular letter was far from ſatisfying the American ſons of liberty in general. The evident exception of the duty on tea, and the profeſſed deſign of repealing upon commercial principles, excited their apprehenſions, and confirmed them in the opinion, that the ground of preſent grievances was not to be abandoned, but to be reſerved for a future opportunity of making freſh eſſays for the impoſition of internal taxes. The merchants and traders therefore, of *Boſton*, ſoon after the knowledge of it, called a meeting, and unanimouſly voted, that the taking off the duties on the articles of glaſs, paper, and colours, would by no means relieve the trade from the difficulties it was under. They then confirmed their former agreement, to ſend for no goods contrary thereto, unleſs the revenue acts were repealed.

Though

Though the teſtimony of the *Pennſylvania* aſſembly, againſt the reſolves of parliament, and in favor of the Virginia reſolves, the repeal of all the revenue acts, and a redreſs of all grievances, was wanting; yet the *Philadelphia* committee of merchants, whoſe character and influence in the preſent buſineſs weighed more than that of the aſſembly, failed not to expreſs their minds fully to the committee in *London*, long after the circulatory letter was a matter of notoriety. They thus wrote—"Though we are not favored with an anſwer to
Nov. 25. our letter of the eighth of April laſt, yet as the liberty of America is at ſtake, and the minds of the people here are much agitated, and as the continuation of the unhappy diſpute between the parliament and the colonies muſt not only affect your and our intereſt, but the general intereſt and happineſs of both countries, we think it our duty to apply to you again, and earneſtly requeſt you would uſe your beſt endeavours with thoſe in the adminiſtration, to reſtore tranquillity, and re-eſtabliſh the colonies in the enjoyment of their ancient rights and privileges. We are very ſenſible, that the proſperity of the colonies depends upon their union and connection with Great Britain. In this ſentiment all the Americans concur, yet they cannot bring themſelves to think, that for this reaſon they ought to be diveſted of liberty and property. Yet this muſt be the caſe, if the parliament can make laws to bind the colonies in all caſes whatever—can levy taxes upon them without their conſent, diſpoſe of the revenues thus raiſed without their control, multiply officers at pleaſure, and aſſign them fees to be paid, without, nay, contrary to and in direct violation of acts of aſſembly regularly paſſed

paſſed by the colonies and approved by the crown—can enlarge the powers of admiralty courts, divert the uſual channels of juſtice, deprive the coloniſts of trials by a jury of their countrymen, in ſhort, break down the barriers which their forefathers have erected againſt arbitrary power, and enforce their edicts by fleets and armies. To ſuch a ſyſtem of government the Americans cannot tamely ſubmit; not from an impatience of ſubordination, a ſpirit of independence, or want of loyalty to their king; for in a quiet ſubmiſſion to juſt government, in zeal, affection and attachment to their king, the people of the colonies dare to vie with any the beſt of their fellow ſubjects; but from an innate love of liberty and the Britiſh conſtitution.

In our laſt we intimated our fears, that the miniſtry were greatly abuſed, and the people of America groſsly miſrepreſented, by ſome who did not wiſh well either to Great Britain or the colonies. The letters of one of our American governors, (Bernard) and the memorials of a board lately erected among us, not to mention other documents laid before the public, evince that our fears were but too well grounded. From theſe it is apparent, that every ſly art has been uſed to incenſe the miniſtry againſt the colonies; every argument that malice could invent has been urged to induce them to overturn the ancient foundations of liberty. Nay, to compaſs their baſe ends, they have declared in expreſs terms, and taken uncommon pains, to make the miniſtry believe, that "there has been a long concerted and extenſive plan of reſiſtance to the authority of Great Britain in all the provinces, and that a ſeizure made

made at Boſton had haſtened the people there to the commiſſion of actual violence ſooner than was intended."

In juſtice to the province where we reſide, and indeed to all America, we beg leave to aſſure you, that ſuch repreſentations are without any juſt foundation, and that nothing can be a greater deviation from truth. Though at the ſame time we confeſs, that the ends accompliſhed by theſe and ſuch like infamous ſlanders and vile arts, have given a general alarm, and cauſed a univerſal uneaſineſs in the minds of the Americans. They now ſee a rod of power held over their heads; they begin to feel the ſeverities of a court, that by its late enlarged juriſdiction, is empowered to break in upon the proceedings of the common law courts; and they have anxious fears for the exiſtence of their aſſemblies, which they conſider as their laſt and only bulwark againſt arbitrary power. For if, ſay they, laws can be made, money levied, government ſupported, and juſtice adminiſtered, without the intervention of aſſemblies, of what uſe can they be? They are no eſſential member of the conſtitution. And being uſeleſs and uneſſential, is there not reaſon to fear they will quickly become diſagreeable, and then be wholly laid aſide? And when that happens, what ſecurity have we for freedom, or what remains for the coloniſts, but the moſt abject ſlavery?

Theſe are not the reaſonings of politicians; but the ſentiments and language of the people in general. For with great truth we may ſay, in no country is the love of liberty more deeply rooted, or the knowledge of the rights inherent in freemen, more generally diffuſed, and the principles of freedom and government better underſtood, than among the Britiſh American colonies.

For

For this reaſon we think ourſelves obliged to inform you, that though the merchants have confined their agreements to the repeal of the act laying a duty on tea, paper, glaſs, &c. yet nothing leſs than a repeal of all the revenue acts, and putting things on the ſame footing they were before the late innovations, can or will ſatisfy the minds of the people. The fleets and armies may overawe our towns; admiralty courts and boards of commiſſioners, with their ſwarms of underlings, may by a rigorous execution of ſevere unconſtitutional acts, ruin our commerce, and render America of little uſe to the people of Britain; but while every farmer is a freeholder, the ſpirit of liberty will prevail, and every attempt to diveſt them of the privileges of freemen muſt be attended with conſequences injurious to the colonies and the mother country.

In a matter of ſo great importance you will excuſe this freedom. We conſider the merchants here and in England as the links of the chain that binds both countries together. They are deeply concerned in preſerving the union and connection. Whatever tends to alienate the affections of the coloniſts, or to make them averſe to the cuſtoms, faſhions and manufactures of Britain, hurts their intereſt. While ſome therefore, from ambitious views and ſiniſter motives, are laboring to widen the breach, we whoſe private intereſt is happily connected with the union, or which is the ſame, with the peace and proſperity of both countries, may be allowed to plead for an end to theſe unhappy diſputes; and that by a repeal of the offenſive acts, the cauſe of jealouſy and uneaſineſs may be removed, tranquillity reſtored, harmony

mony and mutual affection re-eſtabliſhed, and trade return to its uſual channel."

The names of the committee on the back of the draft from which the above has been copied, were, *Alexander Huſton*, *John Rhea*, *John Cox*, *John Gibſon*, *Joſeph Swift*, *James Meaſe*, *J. M. Neſbit*, *William Weſt*, *Robert Morris*, *Charles Thomſon*, *Daniel Benezet*, *William Fiſher*, *George Roberts*, *Samuel Howell*, and *Thomas Mifflin*.

The ſtationing of troops in *Boſton* might afford greater perſonal ſecurity to the commiſſioners than what they could otherwiſe have enjoyed, and might induce them or their underlings to exceed the bounds of their commiſſion or of prudence, but could not prevent ſmuggling, or protect informers from inſult and abuſe. Even ſkippers, bound to different parts of the colony, had their veſſels ſtopt and libelled for having uncleared articles of trifling conſequence on board. Perſons who ventured to lodge informations, when diſcovered, were often ſubject to a treatment, which gave them a ridiculous appearance, and laid them under a difficulty to clear themſelves of the dreſs impoſed upon them. They were ſtripped, well tarred, and then covered with feathers. The puniſhment took ſo with the lower claſs of people, that afterward it was not confined to informers, but was alſo applied by them to others who offended their dread majeſty. There was a degree of intemperance and indiſcreetneſs on the part of the commiſſioners and cuſtom-houſe officers, which tended to irritate; whereas the utmoſt lenity and forbearance were requiſite in order to general tranquillity. Mr. *Eliot* at *New York*, where ſmuggling was as prevalent as at Boſton, found

it neceſſary to wink at many irregularities that he might prevent diſturbances and ill humor among the body of merchants. The commiſſioners expreſſed their diſſatisfaction, and wanted him to alter his line of conduct: he ſtated the caſe to a friend at home, and by his influence was ſecured from ſuch like directions in future. They tranſmitted to Britain ſuch repreſentations of Mr. *Otis* jun. as provoked him to inſert a publication in the Boſton gazette, which brought on an affray at the coffee houſe between him and Mr. *Robinſon*, one of the commiſſioners, from the latter's attempting to pull the other by the noſe, becauſe of ſome expreſſions in the ſaid publication. Mr. Robinſon being in danger of coming off with the worſt, ſeveral of the company fell upon Mr. Otis; ſome of whom held him while others ſtruck him with canes or different weapons. A friend paſſing along, obſerved what was doing, preſſed in and reſcued Mr. Otis, though he himſelf ſuffered conſiderably from the aſſailants. The noiſe ſoon drew multitudes about the houſe, when Mr. Robinſon and his aſſociates prudently retreated by means of a back door *. This procedure of the revenue officers (for no military one was preſent) opened a large field of altercation, and multiplied quatrels, which were before too frequent between the king's officers and the leaders of oppoſition.

Governor *Bernard* could carry nothing in the governmental way through the preſence of the troops, but was continually loſing ground, and growing more and more obnoxious to the inhabitants; ſo that he was abuſed in

* Mr. Otis afterward proſecuted Mr. Robinſon for the aſſault, and the law gave heavy damages againſt him; but Mr. *Otis* generouſly forgave him upon an acknowledgment of the offence.

ſcurrilous

ſcurrilous publications, for which the Boſton gazette was notorious. They were craftily calculated for the meridian where they firſt appeared, and ſuited the too levelling diſpoſition of the *Bay-men*; after the politicians had encouraged a ſpirit of licentiouſneſs, in order to weaken the force of government, and counteract the deſigns carrying on againſt their liberties: but their want of decency offended many of the ſons of liberty in the other colonies. Heavy threats were alſo thrown out againſt the governor's perſonal ſafety. Of theſe however he was regardleſs; and being aſked by a friend, how he could venture to walk about alone at his country ſeat, only five miles from the centre of Boſton, and whether he was not afraid; he anſwered, "No, they are not a blood-thirſty people."

At length it was thought proper to recall him, as ſaid, to lay before his majeſty the true ſtate of the province: this he ſignified to the aſſembly in the month of June. Before they were prorogued, they embraced the occaſion for drawing up a petition to his majeſty, in which, after complaints of him, they entreated that he might be for ever removed from the government of the province. When his letters, written home in confidence, came to be expoſed to public view, it would have argued great weakneſs to have continued him, unleſs it was deſigned to adopt his plans, and ſupport him by force at all adventures. Governor Bernard was too open, and had too little command of his temper; and ſuffered his reſentment to get the better of what ought to have been his political judgment. Every governor ſhould diveſt himſelf of reſentment, eſpecially in his public capacity, as his own happineſs, and that of the governed require it.

Men

Men of ſpirit may be drawn, when they will not be forced. Sir Francis, inſtead of aiming his cenſures at individuals, directed them againſt whole bodies. Thus he charged the council with ſervility to the populace, the pleaſing of whom, he ſaid, was the rule of their conduct; and alſo both houſes of the general aſſembly expreſsly, in his ſpeeches, with oppugnation againſt the royal authority, declaring that they had left gentlemen out of the council, only for their fidelity to the crown. Such charges ſtrengthened the hands of thoſe whom he moſt oppoſed, by touching the honor of the whole. Had they been true, they ſhould have been ſuppreſſed, or mentioned only in private; but though the ſubſtance of them was even true, when applied to individuals, it might be otherwiſe when applied to the body, the majority of whom might act upon different principles. Political leaders frequently throw out motives, by which to catch and conduct the well-intentioned, differing from thoſe by which they themſelves are actuated. Sir Francis did not poſſeſs thoſe mollifying arts which the ferment of the times required; and was more ready to aggravate diſorders than to apologize for them. It was common for him in his official letters, to ſtile the oppoſition the faction, even while he owned that it comprehended the majority of the aſſembly. A parental governor would have thrown in many hints to have leſſened the diſpleaſure of perſons in power, on account of offences committed at three thouſand miles diſtance, under an enthuſiaſtic attachment to the cauſe of liberty, at a period when divers outrages were perpetrated at home, by mobs in various parts of the kingdom. He evidenced too great an inclination to make the worſt of

every thing; and at times hearkened to and tranſmitted the ſtrangeſt rumors. He was a principal inſtrument in bringing the troops to Boſton. It was a favorite meaſure with him and the lieutenant governor, long before it was executed. While he profeſſed himſelf a friend to the province, he was endeavouring to undermine its conſtitution, and to obtain an eſſential alteration in the charter, through an appointment of the council by the king, inſtead of its continuing in the election of the general court, where the repreſentatives of the people neceſſarily carried it, whenever they united.

Toward the end of June, he had the faireſt opportunity of getting the troops removed from the Maſſachuſetts, but oppoſed the meaſure. General Gage deſired general Mackay to conſult with him concerning the neceſſity of continuing the troops at Boſton, and to procure his opinion in writing, whether his majeſty's ſervice required that troops ſhould remain there any longer, and what number, whether one or two regiments. It is impoſſible to expreſs his ſurpriſe at the propoſition. The knowledge of it, ſo far as it reached, occaſioned a conſternation among the civil officers of government, its friends, and the importers of goods from Great Britain. Gage, in a letter, requeſted his opinion, and aſſured him he ſhould not publiſh it, or make it known on this ſide the Atlantic. He immediately anſwered, that he had no heſitation to declare his opinion, that it would be detrimental to his majeſty's ſervice to remove any of the two regiments remaining; and that it would be quite ruinous to the cauſe of the crown to draw all the troops out of Boſton: but that he was inclined to think, that a regiment in town, and another

ther at the caſtle, might be ſufficient. He had time enough in which to have ripened a plan with the court for the removal of the troops, to the joy of the country, and with ſafety to the civil officers and ſupporters of government. But he too early, for his own peace and the happineſs of his government, deviated from the line of conduct, marked out for him by Lord Halifax, immediately after his appointment, when it was recommended to him to ſee and converſe with governor Pownall, of whom his lordſhip wrote in the ſame letter, "It is impoſſible to purſue a better plan of government than what he directed himſelf by." However, his conduct was ſo agreeable to the miniſtry, that a title was ſecured him. He was created a baronet March the twentieth 1769; and his majeſty took upon himſelf the whole expence of paſſing the patent, which added greatly to the honor done him, as it was a favor ſeldom or ever before granted. Sir Francis, during his eleven years reſidence in America, made very little advance in his eſtate. The Boſton ſons of liberty had great advantages againſt him, from the early intelligence procured by the ſuppoſed author of Junius Americanus, and forwarded for ſafety under an unſuſpected coarſe paper cover, to Mr. Thomas Bromfield, glover, at Boſton. Sir Francis was aſtoniſhed to find, that the contents of his letters from miniſtry were known by them as ſoon as by himſelf. When he embarked from the caſtle on board the Rippon man of war for Great Britain, Auguſt the firſt, few lamented his departure. Even his friend, the lieutenant governor Mr. *Hutchinſon*, regretted not his recall; by it he gained an opening for ſucceeding to the chair,

to which he had been long looking, and was in hopes of being advanced.

Boſton and *New York* entered into the non-importation agreement ſo early as Auguſt the preceding year: before the preſent was out they began to be embarraſſed, and numbers grew weary of their engagement. Advantage was taken of theſe circumſtances. The *Britiſh* officers, either of their own thought or through hints from home, offered merchants the liberty of having their goods directed to them as though intended for the army; and many were got in under that cover, eſpecially at *New York*. Several perſons imported into *Boſton* and ſold freely, without its being particularly noticed, while a few only were called to an account and expoſed in the newſpapers. This occaſioned an alarm; and the people
1770. Jan. 23. aſſembled at Faneuil-hall, in conſequence of a notification, upon the buſineſs of preventing the non-importation agreements being rendered abortive.

Mr. *Theophilus Lillie*, obſerving the groſs partiality which prevailed in ſuffering ſome to ſell, while a few others were proſcribed, determined upon ſelling his goods alſo. To point him out as inimical to the agreement, and a perſon whoſe ſhop was to be ſhunned, a piece of pageantry was placed before the door. Mr. *Richardſon*, attempting to remove it, was driven into his houſe by a number of boys, and there attacked by ſtones through the windows. Provoked, rather than endangered by the
Feb. 22. aſſault, he fired and killed *Chriſtopher Snider*, a lad of eleven years old, who was recorded in the public prints as the firſt martyr to the noble cauſe of liberty. The boy was buried with the greateſt reſpect imaginable, according to the cuſtom of the country; and ſuch was the

the number of people following the corps, that the foot proceſſion extended a full quarter of a mile. The event tended rather to promote than injure the non-importation agreement. Boys, ſmall and great, and undoubtedly men, had been and were encouraged, and well paid by certain leaders, to inſult and intimidate thoſe who had avowedly counteracted the combination, and ſtill perſevered. The lieutenant governor in April, attempted prevailing upon a merchant of the firſt eſtate and character, to promote an aſſociation, in oppoſition to the non-importation agreement, but to no purpoſe; and received for anſwer, "Until parliament makes proviſion for the puniſhment of the confederacies, all will be ineffectual, and the aſſociates will be expoſed to popular rage." Another meeting was called to determine whether the goods already arrived and thoſe expected, ſhould be ſent back to Britain. A gentleman having received a letter from a member of parliament, in which it was ſaid, that ſhipping back 10,000l. of goods will do more than ſtoring 100,000l. and the ſame being communicated, the ſcale, when upon a balance, was turned, and all the importers belonging to the town ſubmitted to ſend their goods back; and in May many were re-ſhipped on board captain *Scott*. The leaders gave out that it was done voluntarily: and yet the major part of the merchants wiſhed to ſee the trade free from reſtraint; but having in the height of their zeal, called in the populace as their ſervants to intimidate thoſe who refuſed to join in the combination, they were now forced to ſubmit to them as their maſters, under the influence of a few of the merchants, who ſtill adhered to their firſt plan. Several of the laſt importers begged with tears,

that they might be allowed to houſe their goods, but it was not granted. One who had been pretty ſturdy, had a committee of tradeſmen ſent him, with an axe-man, a carpenter, at their head, who told him that there were a 1000 men waiting for his anſwer, and if he did not comply, there was no ſaying what would be the conſequences. The ſtrength of the argument prevailed; and a day or two after the paper publiſhed that he complied voluntarily. The *Boſtonians* moreover reſolved to leave off all trade with the *Newport* people, becauſe of their duplicity, and breaking through the non-importation agreement. The next month *Hartford* followed the example of Boſton. But about the ſame time, the *New Yorkers*, by dexterous management, were brought to agree to import "every thing, except ſuch articles as are, or may hereafter be, ſubject to duty for the purpoſe of raiſing a revenue in America." Government gained a party in the committee of merchants, who took advantage of the charges brought againſt *Boſton* of importing large quantities of goods; and Mr. *Hancock* was complained of for ſuffering them to be brought in his veſſels. By theſe means they prepared the minds of the people for the execution of the plan they had concerted. They did not call a meeting of the citizens, in which the vote of the populace, procured by the arts of individuals, might prevail; but went through the ſeveral wards, and took the ſenſe of the principal inhabitants ſeparately, when it appeared that the majority were for importing. Upon the receipt of letters from *Philadelphia* and *Boſton*, the ſenſe of the inhabitants was again taken, and turned out as before. They were ſeverely cenſured by the Philadelphians for their defection,

and

and by others alſo. The letter of the committee to the merchants at Boſton, informing them what agreement they had adopted, was contemptuouſly torn to pieces. When thoſe *Yorkers*, who were in the intereſt of government, began to concert their plan, they reſted on aſſurances of what would be done in parliament, and knew not, for certain, that the duties on glaſs, paper, and colours, had been taken off; but the news of the obnoxious act being ſo far repealed, reached the continent before they had fully perfected the buſineſs on the tenth of July *.

The *New Yorkers* were in general faithful, while their non-importation agreement laſted; more ſo, it was thought, than the *Boſtonians*. Theſe ſuffered much in their reputation among the ſons of liberty at New York and Philadelphia, for the large quantities of goods found by ſome of the newſpaper publications, to have been imported into Boſton. Some of the inhabitants were deſirous of rolling away much of the reproach, by pointing out, that a conſiderable part of the goods charged to the ſcore of Boſton, belonged to *Salem*, *Marblehead*, and other ports; but when the non-importation agreements were ended, it was omitted, and thus they continued to lie under greater diſgrace than really belonged to them. While the New York plan was carrying on, a trial was made by about a dozen perſons, to frighten the gentlemen who were inclined to import from ſo doing, but it failed; the populace had been ſecured.

The king gave his aſſent to the act for repealing the duties on glaſs, paper, and colours. The tea duty was April 12.

* The date of the committee's letter to the Philadelphians, after taking the ſenſe of the inhabitants a ſecond time.

profeſſedly continued as a pepper-corn rent, for the point of honor, and as a badge of ſovereignty over the colonies. The miniſtry might alſo mean to uſe it in ſome future period, for deeper purpoſes than could be then fathomed. They intended in the beginning of the ſeſſion to bring in a bill againſt American aſſociations; but the violence of party was ſuch, that it was thought the times would not admit of it. The ſtrong oppoſition made to miniſterial meaſures at home, was certainly helpful to the cauſe of the colonies, and encouraged them to go thoſe lengths which they would otherwiſe have ſcarce ventured upon. This however was not to be charged to the anti-miniſterialiſts, as an evil for which they were anſwerable. Let miniſters attempt at any time, to make unjuſtifiable inroads upon the liberties of Britiſh ſubjects, their opponents are bound in duty, as the guardians of the public, to uſe all warrantable efforts to diſconcert them; and the miſchief which follows is to be placed to the account of thoſe who render the oppoſition a neceſſary meaſure.

The news of a partial repeal did not ſatisfy the coloniſts. But they attempted in vain to keep up the non-importation agreement after the defection of New York. The Boſton merchants at length, in a meeting held at the coffee-houſe in October, unanimouſly voted to alter it, and adopt the ſame plan of importing with that of the New Yorkers. It appeared to be the ſenſe of the one and the other, and alſo of the Philadelphians, that no tea ſhould be imported; and that if any was brought into the ſeveral ports, it ſhould be ſmuggled to avoid paying the duty. The *Virginia* houſe of burgeſſes, in a petition to his majeſty, expreſſed their exceeding great concern

concern and deep affliction upon finding that the ſeveral acts impoſing duties, for the purpoſe of raiſing a revenue in America, were continued; and ſaid, "A partial ſuſpenſion of duties, and theſe ſuch only as were impoſed upon Britiſh manufactures, cannot remove the too well grounded fears and apprehenſions of your majeſty's ſubjects, whilſt impoſitions are continued on the ſame articles of foreign fabric, and entirely retained upon tea for the avowed purpoſe of eſtabliſhing a precedent againſt us." The preſent year was marked by a different ſcene of blood than what offered in February, which could not be introduced in the order of time, without breaking the thread of the preceding narration.

Outrages had been committed by the ſoldiers; and frequent quarrels had happened between them and the inhabitants of Boſton, who viewed the military as come to dragoon them into obedience to ſtatutes, inſtructions and mandates, that were thoroughly deteſted. Each day gave riſe to new occurrences which augmented the animoſity. Reciprocal inſults ſoured the tempers, and mutual injuries imbittered the paſſions of the oppoſite parties. Beſide, ſome fiery ſpirits, who reſented the indignity of having ſoldiers quartered among them, were continually exciting the towns people to quarrel with the troops. Not only ſo, but a pompous newſpaper account of a victory obtained by the inhabitants of New York over the ſoldiers there, in an affray, undoubtedly excited the reſentment of the military at Boſton, and exultations among their opponents, and thus increaſed the ferment. Every thing tended to a criſis; and it is rather wonderful that it did not exiſt ſooner, when ſo many circumſtances united to haſten its approach. The

lieutenant

lieutenant governor did not attend to theſe things properly; and was not ſufficiently careful to prevent conſequences, by ſtrongly urging the officers to keep their men in the barracks as much as poſſible, and to maintain the ſtricteſt diſcipline. He was deſirous of recommending himſelf both to them and the commiſſioners, and therefore was very cautious leſt he ſhould offend either.

At length a private of the twenty-ninth regiment, paſſing along in the morning near Mr. John Gray's rope walk, being provoked by inſulting words, reſented it; and being overpowered, went off, but ſoon returned with a dozen ſoldiers, between whom and the rope-makers an affray enſued, which terminated in the defeat of the former; who in the afternoon, armed themſelves with clubs, and were on their way to renew the action, but were ſtopped. On this many of the towns people were ſo enraged, that they determined upon fighting it out with the ſoldiers on the Monday. The Rev. Dr. *Eliot* was told of the determination on the Saturday; and was alſo informed, that the bells were to be rung to aſſemble the inhabitants together; ſo that when on the Monday evening he heard them ring, he was not alarmed with an apprehenſion of its being on account of a fire's breaking out in the town, which is generally the caſe *. It does not appear that any militia were called in before the firing upon the people, or that any regular plan was formed for compelling the troops to move from the town: it is abſurd to think, on the other hand, that there was a ſettled plot for employing the ſoldiers to maſſacre

Mar. 2.

* The Doctor's account to me, when diſcourſing upon what is called the *maſſacre*.

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the inhabitants. But from the characters, principles, and politics of certain perſons among the leaders of the oppoſition, it may be feared, that they had no objection to a rencounter, that by occaſioning the death of a few, might eventually clear the place of the two regiments. That ſome deſign was on foot, which might be attended with danger in the execution, may be gathered from lieutenant colonel Marſhall's ſaying, when giving evidence for the crown—"The bells were ringing, and the people began to collect as they do at the cry of fire, and I began to think it was fire. I had a mind to go out, but I had a reluctance, becauſe *I had been warned not to go out that night*;" meaning in which the men were ſhot *.

Between ſeven and eight o'clock at night, unuſual numbers are met coming from the ſouth end of the town with ſticks in their hands, and ſerious conſequences are apprehended from it. About the ſame time, parties amounting in the whole to near two hundred, ſeveral with great ſticks or clubs, proceed from the north end, ſome of whom ſay, "let us go to the ſouth end and join our friends there, and attack the damned ſcoundrels, and drive them out of the town; they have no buſineſs here." More people than common, with large ſticks, are obſerved running from all quarters toward King-ſtreet. The north end parties collect in and about Dock-ſquare, and attack ſeveral ſoldiers belonging to Murray's barracks about nine o'clock: upon an officer's coming up, theſe are ordered to their barracks, and when got in, with much difficulty, are immediately confined. The mob follow the officer to the gate, and provoke the ſoldiers by the moſt abuſive language, and Mar. 5.

* The trial of the ſoldiers, p. 52.

dare

dare them to come out. They are hardly reſtrained by their officers from doing it. While theſe things are tranſacting, ſome are calling *town-born turn out*, twenty or thirty times over; others cry *fire, fire*, in different places, the more effectually to draw people out of their houſes, and to increaſe their numbers; and ſoon after the nine o'clock bell has ceaſed, the bells are ſet a ringing, which thoſe who are not better informed, imagine to be the alarm of fire.

Upon the ſoldiers being reſtrained to the barracks, the mob are deſired by one or more conſiderate perſons, to return home. A few comply, but the generality have ſomething further to engage their attention. Numbers employ themſelves in tearing up the ſtalls of the market-place in Dock-ſquare, for the purpoſe they expreſs while calling out, "Damn the dogs, where are they now? Let us go and kill that damned ſcoundrel of a ſentry, and then attack the main-guard." The body of the mob when they have finiſhed their repeated attacks upon the barracks, are addreſſed in the ſtreet by a tall large man in a red cloak and white wig. After liſtening to what he has to offer in the ſpace of three or four minutes, they huzza for the main-guard, and ſay, "We will do for the ſoldiers." They ſeparate into three diviſions, and take different routs for King-ſtreet, one through the Main-ſtreet. A party, who have collected at Oliver's-dock, bend their courſe toward the ſame point. In the mean time, the ſentry before the Cuſtom-houſe is aſſaulted while upon duty. A boy comes up, and pointing to him, ſays, "There is the ſon of a bitch that knocked me down." About twenty young fellows, eighteen years old, call out, "kill him, kill him, knock

knock him down." Their behaviour obliges him to load his gun. They pelt him with ſnow-balls, pieces of ice, and any thing that offers, and halloo "fire and be damned." They advance upon him; oblige him to retreat; he mounts the ſteps, and knocks at the door for admiſſion. Meeting with no relief in this way, more perſons collecting in the ſtreet, and his danger increaſing, he calls out to the main-guard, within hearing, for protection. Captain Preſton, the officer of the day, being told that the ringing of the bells is the ſignal for aſſembling the inhabitants to attack the troops, repairs to the main-guard; and learning the ſituation of the ſentry, ſends off a corporal and ſix men to protect both him and the king's cheſt in the cuſtom-houſe. The ſoldiers march off with their pieces unloaded, and the captain follows to prevent diſorder. Ere they have formed, that part of the mob, which comes through the Main-ſtreet, and appears to be headed by the mulatto Attucks, and to contain a number of ſailors, upon coming to the town houſe, exclaim—"Damn the raſcals, this will never do; the readieſt way to get rid of thoſe people, is to attack the main-guard, ſtrike at the root, this is the neſt." The ſoldiers are pelted while going to defend their comrade; and, when upon their ſtation, are ſerved as was the ſingle ſentry, have ſnow-balls, large pieces of ice, ſticks, and other things thrown at them, and are obliged to load for their own ſafety. The reproachful language with which they are abuſed, excluſive of a plenty of oaths and execrations, is, "Come on you raſcals, you lobſter ſcoundrels, you bloody-backs, you cowards, you daſtards for bringing arms againſt naked men; fire if you dare; fire and be damned,

we know you dare not," and much more to the ſame purpoſe. The reaſon for ſaying, "you dare not fire," is probably to be found in the doctrine lately advanced, "that ſoldiers, while on duty, may upon no occaſion whatever fire upon their fellow ſubjects, without the order of a civil magiſtrate." The mob preſs in upon the ſoldiers; advance to the points of the bayonets; are deſired to keep off; and are treated with cautious attention. This may be owing to apprehenſions of danger to themſelves in caſe of a contrary conduct. The ſhouts, huzzas, threats, ſcreams, and almoſt yells of the mob, with the ringing of the bells to increaſe the general confuſion, may juſtly alarm them; but their precaution ſoon avails nothing. While they are puſhing off the people, without once leaving their ſtation or attempting to follow them, the Mulatto, and about a dozen perſons, ſeveral in ſailors habits, come down to the ſpot, give three cheers, ſurround the ſoldiers, and ſtrike their guns with clubs, crying out to the others, "Do not be afraid of them, they dare not fire; kill them; kill them; knock them over." The Mulatto aims a blow at captain Preſton, ſtrikes down one of the guns, ſeizes the bayonet with his left hand, and ſhows a hardy diſpoſition anſwering to the threats which have been uttered. At this inſtant, there is a confuſed cry of "damn your bloods, why don't you fire," and partly from perſons behind the captain. Firing ſucceeds. Montgomery, whom the Mulatto has aſſaulted, after recovering his legs, and relieving his gun by a ſudden twitch, is the firſt that fires, and his aſſailant falls. After ſix or eight ſeconds, another fires, the other five follow in quick ſucceſſion. It is agreed, that only ſeven out

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of the eight ſoldiers diſcharge their pieces, and that no one fires twice. Three perſons are killed; five are very dangerouſly wounded, and a few ſlightly. Moſt are either paſſengers going through the ſtreet, or unaſſiſting ſpectators. It is well that no more are killed, conſidering that there were from fifty to a hundred about the ſoldiers. They ran off at the firing, but ſoon aſſemble again to take away the dead and wounded.

The whole town is immediately in the greateſt commotion. Their drums beat to arms, and there is a conſtant calling out "to arms, to arms, turn out with your guns." The townſmen aſſemble in the next ſtreet, to the amount of ſome thouſands. The lieutenant governor repairs to captain *Preſton*, and upon coming up aſks him, "how came you to fire upon the people without the orders of a civil magiſtrate?" The captain begins to apologize for what had happened, by ſaying, "*we were inſulted*;" and is about adding more, but recollecting the impropriety of the place, ſtops ſhort, and aſks Mr. *Hutchinſon* to walk up into the guard room, where he means to finiſh what he has begun; but the lieutenant governor goes to the council chamber. The captain's words are obſerved by ſome gentlemen, who attend Mr. Hutchinſon, and are conſidered as conceding to the implied charge of having given direction to fire; and are remembered to his diſadvantage. Mr. Hutchinſon cannot avoid expoſing himſelf in the midſt of the enraged inhabitants, upon whom he prevails to diſperſe till morning. It having been a clear moon light night, perſons have been enabled to diſtinguiſh what paſſed.

The next morning the people collect in vaſt bodies. The lieutenant governor ſummons a council. Before any Mar. 6.

debate

debate commences, lieutenant colonel *Dalrymple*, and lieutenant colonel *Carr* attend, being informed, that they may if they will. The town meets in full aſſembly, and chooſe a committee, who, while the buſineſs is largely diſcuſſing in council, wait upon the lieutenant governor and deliver him a meſſage, declaring, "It is the unanimous opinion of the meeting, that nothing can rationally be expected to reſtore the peace of the town, and prevent blood and carnage, but the immediate removal of the troops." Colonel Dalrymple ſignifies to Mr. Hutchinſon, his readineſs to place the 29th regiment, which has rendered itſelf in a ſpecial manner obnoxious, in the barracks at the caſtle.

In the afternoon the lieutenant governor receives another meſſage, acquainting him, that it is the opinion of the meeting, conſiſting of near three thouſand people, that nothing but a total and immediate removal of the troops will ſatisfy. Mr. *Samuel Adams*, one of the committee, in his venerable grey locks, and with hands trembling under a nervous complaint, tells colonel *Dalrymple*, "If you can remove the 29th regiment, you can alſo remove the 14th; and it is at your peril if you do not;" and continues talking to him, in ſuch a reſolute tone and with ſuch ſtrong implications, as nearly to communicate the trembling to the colonel. Mr. *Hutchinſon* wiſhes to get clear of the council, but finds it impoſſible; and therefore lays the matter before them. Several declare their apprehenſions of more bloodſhed, unleſs the troops are removed. Mr. *Royal Tyler* in his zeal for effecting it, ſays to him, "It is not ſuch people as formerly pulled down your houſe, who conduct the preſent meaſures. No; they are people of

the beſt characters among us, men of eſtates, men of religion. They have formed their plan for removing the troops out of town; and it is impoſſible they ſhould remain in it. The people will come in from the neighbouring towns; there will be ten thouſand men to effect the removal of the troops, who will probably be deſtroyed by the people, be it called rebellion, or occaſion the loſs of our charter, or be the conſequence what it may." When Mr. *Tyler* ſaid, *they have formed their plan*, it was not to be underſtood, that the plan was formed prior, but ſubſequent to the bloodſhed of the preceding evening. His repreſentations might be aggravated: even when there is not a natural caſt for hyperbole, perſons inflated by paſſion, will imperceptibly have a recourſe to the figure. Mr. Hutchinſon tells the council, "Nothing ſhall ever induce me to order the troops out of town." They, upon that, unanimouſly adviſe him to requeſt colonel Dalrymple to order them to the caſtle. To the colonel he ſays, "I have nothing to do with it, it lies wholly with you." While they are preſſing him, the people are informed, that the colonel is ready to remove the regiments, if the lieutenant governor will only join in deſiring it. He inclines to ſtand out, and to leave it with the colonel and council to ſettle, as they can agree about the buſineſs. He deliberates till near night, dreading leſt any one meaſure he may adopt, ſhall leſſen him in the opinion of the miniſtry and endanger his advancement. At length the ſecretary, Mr. *Oliver*, perceiving how artfully matters are managed, whiſpers him in the ear, "You muſt either comply or determine to leave the province." This prevails; he complies with the advice of the council; and

the general ferment begins to ſubſide. The troops however, are not removed ſo early as is expected by the town; they continue till the next Monday; and upon the colonel's being aſked the reaſon, he mentions that it lies at the door of the lieutenant governor, who ſhuffles with the colonel, in hope that ſome occurrence will exiſt, which may exempt him from being charged with occaſioning the removal of the troops by the interpoſition of his advice.

Mean while captain Preſton and his party are committed to jail. One of the wounded men dies. It is determined to bury the four perſons * in one vault, and in a peculiarly reſpectful manner. The generality of the ſhops in town are ſhut. All the bells of *Boſton*, *Charleſtown*, and *Roxbury*, are ordered to toll in the moſt doleful tone. The corpſes form a junction in King-ſtreet, where they fell when the ſoldiers fired. Hence they proceed in orderly ſucceſſion through the main ſtreet, followed by an immenſe concourſe of people, ſo numerous as to be obliged to go in ranks of ſix a-breaſt, and the whole cloſed by a long train of carriages belonging to the principal gentry of the town. Thus are they diſtinguiſhed and honorably attended to the place of interment, with unparalleled pomp, not on account of perſonal merit, but to expreſs the vehement indignation of the inhabitants againſt the ſlaughter of their brethren, by the Britiſh ſoldiery quartered among them, in violation, as they imagine, of their civil liberties.

Mar. 8.

* Samuel Gray, Samuel Maverick, James Caldwell, and Criſpus Attucks. Samuel Gray was a journeyman, and wrought in the rope-walks belonging to Mr. John Gray the rope-maker.

Captain Preſton's trial begins. Meſſrs. John Adams and Joſiah Quincy are his council. They are warm in the cauſe of liberty, and offend ſeveral of their own party by undertaking the defence of the priſoner; but faithfully employ their diſtinguiſhed abilities in his behalf. The trial does not finiſh till the thirtieth. While carrying on, Mr. Quincy puſhes the examination and croſs-examination of the witneſſes to ſuch an extent, that Mr. Adams, in order to check it, is obliged to tell him, that if he will not deſiſt, he ſhall decline having any thing further to do in the cauſe. The captain and his friends are alarmed, and conſult about engaging another counſellor; but Mr. Adams has no intention of abandoning his client. He is ſenſible that there is ſufficient evidence to obtain a favorable verdict from an impartial jury; and only feels for the honor of the town, which he apprehends will ſuffer yet more, if the witneſſes are examined too cloſely and particularly, and by that mean more truth be drawn from them than what has an immediate connection with the ſoldiers firing, by or without the orders of the captain. When the trial is ending, judge Lynde, toward the cloſe of his ſpeech ſays, "Happy I am to find, after ſuch ſtrict examination, the conduct of the priſoner appears in ſo fair a light; yet I feel myſelf deeply affected, that this affair turns out ſo much to the diſgrace of every perſon concerned againſt him, and ſo much to the ſhame of the town in general." The jury return their verdict—Not guilty. Oct. 24.

On Tueſday commences the trial of William Wemms, James Hartegan, William M'Cauley, Hugh White, Matthew Killroy, William Warren, John Carrol, and Nov. 27.

Hugh Montgomery, ſoldiers in the 29th regiment, for the murder of Criſpus Attucks, Samuel Gray, Samuel Maverick, James Caldwell, and Patrick Carr, the laſt of whom did not die till ten days after he was wounded. The ſoldiers have the ſame council that was engaged for their captain. The trial is continued from day to day, Sunday excepted, till Wedneſday December the fifth. Attempts were made to prejudice the people againſt the priſoners, one eſpecially in a certain weekly paper the day before the trial began. The publication included an inſult on the ſupreme court, and expreſſed the greateſt malignity of heart. To counteract the baneful effects of all ſuch proceedings, Mr. Quincy, in his addreſs to the juſtices and jury, obſerves—"We muſt ſteel ourſelves againſt paſſions, which contaminate the fountain of juſtice. Let it be borne deep upon our minds, that the priſoners are to be condemned by the evidence *here in court* produced againſt them, and by nothing elſe. Matters heard or ſeen abroad, are to have no weight; in general they undermine the pillars of juſtice and truth. As though a ſeries of *ex parte* evidence was not enough, all the colours of the canvaſs have been touched in order to freſhen the wounds, and by a tranſport of imagination, we are made preſent at the ſcene of action. The prints exhibited in our houſes, have added wings to fancy, and in the fervor of our zeal, reaſon is in hazard of being loſt. The pomp of funeral, the horrors of death have been ſo delineated, as to give a ſpring to our ideas, and inſpire a glow incompatible with ſound, deliberate judgment. In this ſituation, every paſſion has alternately been predominant. They have each in turn ſubſided in degree, and they have

have ſometimes given place to deſpondence, grief, and ſorrow. How careful ſhould we be, that we do not miſtake the impreſſions of gloom and melancholy, for the dictates of reaſon and truth! How careful leſt borne away by a torrent of paſſion, we make ſhipwreck of conſcience!

"Many things yet exiſt ſufficient to keep alive the glow of indignation. I have aimed at ſecuring you againſt the catching flame. I have endeavoured to diſcharge my duty in this reſpect.—What ſucceſs will follow theſe endeavours, depends on you, gentlemen. If being told of your danger, will not produce caution, nothing will. If you are determined in opinion, it is in vain to ſay more; but if you are zealous inquirers after truth; if you are willing to hear with impartiality, to examine and judge for yourſelves, enough has been ſaid to apprize you of thoſe avenues, at which the enemies of truth and juſtice are moſt likely to enter, and moſt eaſily to beſet you."

When the evidence in favor of the priſoners is finiſhed, Mr. Quincy reſumes his addreſs.—"I ſtated to you, gentlemen, your duty in opening this cauſe. I pointed out the dangers to which you were expoſed. How much need was there, that you ſhould ſuſpend your judgment till the witneſſes were all examined! How different is the complexion of the cauſe? Will not all this ſerve to ſhow every honeſt man the little truth to be attained in partial hearings? This trial ought to have another effect, it ſhould ſerve to convince us all of the impropriety, nay, injuſtice, of giving a latitude in converſation upon topics likely to come under a judicial deciſion; the criminality of this conduct is certainly inhanced, when

ſuch looſe ſallies and diſcourſes are ſo prevalent as to be likely to touch the life of a citizen. In the preſent caſe, how great was the prepoſſeſſion againſt us! and I appeal to you, gentlemen, as to what cauſe there now is to alter our ſentiments."

In the courſe of pleading, he is under a neceſſity of ſaying, "And here, gentlemen, I muſt firſt tell you by what law the priſoners are *not* to be tried or condemned. And they moſt certainly are *not* to be tried by the *Moſaic* law: a law we take it, eſpecially deſigned for the government of a peculiar nation, who being in a great meaſure under a theocratical form of government, its inſtitutions cannot, with any propriety, be adduced for our regulation in theſe days. It is with pain therefore, I have obſerved any endeavour to miſlead our judgment on this occaſion, by drawing our attention to the precepts delivered in the days of Moſes: and by diſconnected paſſages of ſcripture, applied in a manner foreign to their original deſign or import, there ſeems to have been an attempt to touch ſome peculiar ſentiments, which we know are thought to be prevalent; and in this way we take it, an injury is like to be done, by giving the mind a bias it ought never to have received, becauſe it is not warranted by our laws."

"We have heard it publicly ſaid of late, oftener than formerly, *Whoſoever ſheddeth man's blood, by man ſhall his blood be ſhed.* This is plainly, gentlemen, a general rule, which like all others of the kind muſt have its exceptions—a rule, which if taken in its ſtrict literal latitude, would imply, that a man killing another in ſelf-defence, would incur the pains of death—a doctrine that certainly never prevailed under the *Moſaical* inſti-

tution;

tution; for we find the *Jews* had their ſix cities of refuge, to which the man-ſlayer might flee from the avenger of blood." Let it be obſerved, en paſſant, that as it was ordained that the man-ſlayer ſhould abide in the city of refuge till the death of the high prieſt, ſo every perſon to eſcape ſuch confinement and reſtraint, would be extremely careful leſt he ſhould prove the caſual occaſion of another's death; and would not venture upon gratifying a ſettled or ſudden evil diſpoſition, by needleſsly ſlaying a fellow creature, becauſe it would paſs for chance-medley. But to go on in company with Mr. Quincy. "And ſo, that *the* MURDERER *ſhall flee to the pit*, comes under the ſame conſideration. And when we hear it aſked, as it very lately has been, "Who DARE ſtay him?" I anſwer, if the laws of our country ſtay him you ought to do likewiſe; and every good ſubject *dares* to do what the law allows. But the very poſition is *begging the queſtion*; for the queſtion now in iſſue is, whether either of the priſoners is *a murderer* in the ſenſe of our laws: what is murder and what not, is a *queſtion of law* ariſing upon facts ſtated and allowed."

"Again," you ſhall take no ſatisfaction for the life of a *murderer*, who is *guilty of death*." Here again is a begging the queſtion; and moreover the words *guilty of death*, if rightly conſidered, muſt be one of thoſe general rules which always have their exceptions. But in the margin of our great bible, we find them rendered *faulty to die*. Againſt a poſition of this kind we have no objection. If we have committed *a fault*, on which our laws inflict the puniſhment of *death*, we muſt ſuffer. But what fault we have committed, you are to inquire: or rather you, gentlemen, are to find the *facts proved*

in court againſt us, and the judges are to ſee and conſider what the law pronounces touching our offence, and what puniſhment is thereby inflicted as a penalty."

Mr. John Adams, in his pleadings, produces from the beſt authorities, thoſe rules of law which muſt govern all caſes of homicide, and particularly that which is before the court; and then conſiders the evidence to ſee whether any thing has occurred that may be compared to the rules of law. He enters into a minute conſideration of every witneſs produced on the crown ſide; and endeavours to ſhow from the evidence on that ſide, that the aſſault upon the party was ſufficiently dangerous to juſtify the priſoners; at leaſt, that it was ſufficiently provoking to reduce to manſlaughter the crime even of the two, who are ſuppoſed to be proved guilty of having killed. He then proceeds to conſider the teſtimonies of the witneſſes for the priſoners; and concludes with—"I will enlarge no more on the evidence, but ſubmit it to you, gentlemen.—Facts are ſtubborn things; and whatever may be our wiſhes, our inclinations, or the dictates of our paſſions, they cannot alter the ſtate of facts and evidence: nor is the law leſs ſtable than the fact. If an aſſault was made to endanger their lives, the law is clear, they had a right to kill in their own defence. If it was not ſo ſevere as to endanger their lives, yet if they were aſſaulted at all, ſtruck and abuſed by blows of any ſort, by ſnow-balls, oyſter-ſhells, cinders, clubs, or ſticks of any kind; this was a provocation, for which the law reduces the offence of killing, down to manſlaughter, in conſideration of thoſe paſſions in our nature, which cannot be eradicated. To your candor

candor and juſtice I ſubmit the priſoners and their cauſe."

"The law, in all viciſſitudes of government, fluctuations of the paſſions, or flights of enthuſiaſm, will preſerve a ſteady undeviating courſe: it will not bend to the uncertain wiſhes, imaginations, and wanton tempers of men. To uſe the words of a great and worthy man, a patriot, and an hero, an enlightened friend of mankind, and a martyr to liberty, I mean ALGERNON SIDNEY, who from his earlieſt infancy fought a tranquil retirement under the ſhadow of the tree of liberty, with his tongue, his pen, and his ſword, "The law (ſays he) no paſſion can diſturb. 'Tis void of deſire and fear, luſt and anger. 'Tis *mens ſine affectu*; written reaſon; retaining ſome meaſure of the divine perfection. It does not enjoin that which pleaſes a weak, frail man, but without any regard to perſons, commands that which is good, and puniſhes evil in all, whether rich or poor, high or low. 'Tis deaf, inexorable, inflexible." On the one hand it is inexorable to the cries and lamentations of the priſoners; on the other it is deaf, deaf as an adder to the clamors of the populace."

The judges, when ſumming up the evidence to the jury, and giving their opinions of the conſtructions of law upon the evidence, apply themſelves to the removing of thoſe bad impreſſions, which may poſſibly have been made upon the jury by the miſconſtruction of ſcripture paſſages. Says one of them—"In the courſe of this year you doubtleſs have heard much of the law given to the *Jews*, reſpecting homicide, as well as of the precept given to Noah, that *whoſo ſheddeth man's blood, by man ſhall his blood be ſhed.* Whence it has been inferred,

ferred, that whoſoever *voluntarily* kills another, whatever the inducement or provocation may be, is a *murderer*, and as ſuch ought to be put to death. But ſurely not only the avenger of blood, and he who killed a thief breaking up a houſe in the night, were exceptions to that general precept, but alſo he who killed another in his own defence. Even the Jewiſh doctors allowed this, and that juſtly; becauſe the right of ſelf-defence is founded in the law of nature." It appears upon the trial, that the facts related above, under the fifth of March, are well atteſted. There are no leſs than *thirty-eight* witneſſes to prove a deſign to attack the ſoldiers, ſix of whom the council for the king have produced. Nigh *thirty* witneſſes have ſworn to words of provocation uttered againſt the priſoners, as daring them to fire, and threatening to kill them: and *twenty-five* have witneſſed to *ice*, *ſnow-balls*, *ſticks*, &c. being thrown at them, ten of whom are witneſſes for the crown. There is evidence that Patrick Carr, one of the deceaſed, repeatedly declared, and confirmed the ſame but a few hours before he died—that he went with a deſign againſt the ſoldiers; that he thought they were abuſed and would have fired before; that he forgave and did not blame the man, whoever he was, that ſhot him; that he blamed himſelf for going to the riot, and might have known better, for he had ſeen ſoldiers called to quell riots, but never ſaw any bear half ſo much before. The jury withdraw for about two hours and a half. Upon comparing the evidence, they cannot be convinced that the ſoldiers were not too haſty in firing. Was there evidence of all having fired, they would convict all of manſlaughter; but it is agreed on all hands, that no more

more than ſeven guns were fired, conſequently one is innocent, and they chooſe that the guilty ſhall eſcape rather than one innocent perſon be convicted *. They return into court and agree, that as to Wemms, Hartegan, M'Cauley, White, Warren and Carrol, they are not guilty, on which they are immediately diſcharged. As to Killroy and Montgomery, they agree that they are not guilty of murder, but of manſlaughter. Both pray the benefit of clergy, which is allowed; each is burnt in the hand, in open court, and diſcharged. The trial has been long, but the iſſue of it, as well as of that of the captain's, may be brought in proof of the integrity of Boſton juries, venturing to give upright verdicts in defiance of popular opinions. Dec. 5.

Edward Manwaring eſq; John Munroe, gentleman, Hammond Green, boat-builder, and Thomas Greenwood, laborer, were tried for being preſent, aiding, aſſiſting, &c. William Warren in the murder of Criſpus Attucks. The whole evidence conſiſted in one witneſs's declaring that he ſaw two flaſhes from the cuſtom-houſe, one from the balcony, the other from a chamber window, and a perſon in the balcony with a gun or piſtol in his hand; and in the teſtimony of a French boy, ſervant to Mr. Manwaring, who ſwore to his being at the cuſtom-houſe when the ſoldiers fired, and to a ſtory of perſons firing out of the chamber window. The falſhood of the whole evidence was immediately detected by a number of the moſt creditable witneſſes, ſo that the jury acquitted the priſoners without going from their ſeats. 12.

* Lieutenant governor Hutchinſon's letter of December 10, 1770.

In

In the pleadings upon the trials (of the ſoldiers eſpecially) Mr. John Adams diſcuſſed the ſubject of homicide ſo largely, and ſhowed ſo fully by what a variety of circumſtances it was reduced to manſlaughter, that the popular leaders perceived the neceſſity of altering their plan of oppoſition to the military, and from thenceforward promoted a particular attention to the militia and the manual exerciſe, that the country might be qualified for repelling arms by arms, whenever the ſame ſhould be requiſite for the preſervation of their liberties.

The ferment occaſioned by the miniſterial meaſures did not ſubſide in the *New York* colony any more than in the *Maſſachuſetts*.

About the middle of January and at night, the *liberty-pole* was cut down by the ſoldiery, which enraged the inhabitants, and produced much diſturbance and riot afterward between them and the troops. The ſoldiers poſted up papers about the city againſt the ſons of liberty, which occaſioned a conſiderable affray. The oppoſition ſoon expreſſed their determination to perſevere, by erecting a new *liberty-pole*, ſtrongly ſecured with iron to prevent its being demoliſhed. The *May-poles* in different parts of the continent had changed their names, or given place to *liberty-poles*, after the exhibition upon the liberty-tree at Boſton during the ſtamp-act. The conduct of the ſoldiers was probably owing to the meaſures which had been taken the preceding month, in order to prevent the aſſembly's granting money for the ſupport of the troops. The aſſembly had in their former ſeſſion, voted to ſupply his majeſty's troops quartered in the colony, which gave great umbrage. To quiet the people they made a unanimous declaration, that

that it ſhould be the laſt ſupply they would ever grant, until their grievances were redreſſed, and it gave ſatisfaction. But the houſe in the preſent ſeſſion, paſſed a vote for a further ſupply of 2000l. which greatly inflamed the minds of the inhabitants. Two papers were publiſhed upon the occaſion: the one addreſſed *to the betrayed inhabitants of the city and colony of* NEW YORK, and ſigned A SON OF LIBERTY: the other ſigned LEGION, deſiring the inhabitants to meet in the fields. The papers were voted *falſe, ſeditious,* and *infamous* libels by the aſſembly, who deſired the lieutenant governor to iſſue out proclamations, offering rewards for the diſcovery of the authors, 100l. for the firſt, and 50l. for the laſt. A ſtripling who had been journeyman to the printer of the firſt, but diſcharged for bad behaviour, allured by the proffered reward, lodged a complaint againſt his late maſter, who was terrified into a diſcovery of Mr. *M'Dougall* as the publiſher. Mr. *M'Dougall* was by the chief juſtice's warrant brought before him, and upon refuſing to give bail was committed to jail. In conſequence of the ſecond paper, about fourteen hundred inhabitants met, and appointed Mr. *John Lamb* to propound queſtions relative to the vote of the aſſembly. After explaining it, the queſtion was put, "Do you approve of the vote?" *No,* was the anſwer. He proceeded, "Are you for giving money to the troops, on any conſideration whatſoever?" It was again *No.* There were but about half a dozen for the affirmative upon either of the queſtions. He then aſked, "Will you appoint a committee to communicate the whole of this tranſaction to your members?" *Yes,* was the word. They then appointed for the committee, Meſſrs. *Iſaac Sears,* Feb. 8.

Sears, *Caſper Wiſtar*, *Alexander M'Dougall*, *Jacobus Van Zandt*, *Samuel Broome* jun. *Eraſmus Williams*, and *James Van Vaurk*. The meeting in the fields, and the tranſactions at it, were ſeveral weeks before the diſcovery and commitment of Mr. *M'Dougall*. Mr. *Lamb* was called before the houſe to anſwer for his conduct; but in the mean time the committee wrote to the ſpeaker, acknowledging themſelves, in every reſpect, parties with him, and anſwerable for each ſtep that had been taken, and ready to defend their conduct in a conſtitutional manner. When Mr. *Lamb* appeared before the aſſembly, he told them that he had aſſembled with the reſt of his fellow citizens, and had propoſed *queſtions*, which as a citizen, a freeman, and an *Engliſhman*, he had a right to do, and was ſurpriſed to hear it controverted. The houſe finding that they had to do with men of ſenſe and reſolution, who were determined upon ſupporting the rights of their countrymen and fellow citizens, gave up the point and diſmiſſed them. Their vote of 2000l. for the troops ſoon paſſed into a law: but the deficiency demanded by the lieutenant governor as arrears, amounting to upward of 1000l. was left unpaid. Had there been a proviſion for the arrears, the compliance with the mutiny act would have been formal and complete. That matters were carried ſo far muſt be attributed to an extraordinary and ſudden coalition in the aſſembly between politicians, who had long been at mortal variance.

April The grand jury found a bill againſt captain *M'Dougall*, but the trial was put off; and he was bailed out of jail. When the houſe met again toward the cloſe of the year, he was ordered to attend at their bar. The

ſpeaker

ſpeaker aſked him whether he was the author or publiſher of the addreſs, &c. He declined anſwering, and aſſigned his reaſons. It was reſolved, that in his reply he denied the authority of the houſe, and was therefore guilty of a high contempt. On his refuſing to aſk pardon of the houſe, he was ordered into cuſtody, and the ſpeaker iſſued his warrant to the jail keeper of the city to receive and keep him priſoner, until he ſhould be diſcharged by due courſe of law. He remained in jail till the aſſembly was prorogued on the 25th of the following February 1771, when he was enlarged after a confinement of near three months. It was not till March the 27th that he was diſcharged from his recognizance, by the ſupreme court then ſitting at *New York*, (without having been brought to a trial) after having been under bonds for near twelve months, and ſuffered twenty and three weeks actual impriſonment. He was the firſt ſufferer for liberty after the commencement of the united efforts of the American ſons, to fruſtrate the miniſterial plans for encroaching upon, and eventually ſubverting their long claimed and enjoyed rights and privileges. This honor belongs to a gentleman born in Scotland, and who is indeed, what he ſigned himſelf, *A Son of Liberty*. He bore his impriſonment with fortitude; but the diſagreeableneſs of it was much leſſened, and the diſgrace of it wholly removed, as the citizens of the higheſt and beſt characters, ladies and gentlemen, reſorted to the place of his confinement. His character as well as his cauſe was good; ſo that the moſt virtuous eſpouſers of the latter, were neither afraid nor aſhamed, by their repeated viſits, to afford him their public countenance.

The

The *Maſſachuſetts* again demands your attention.

May 31. The new general court met at *Cambridge*; the houſe remonſtrated againſt being held there, or at any other place than *Boſton*; and by a majority of 96 out of 102, voted it to be a very great grievance, and reſolved not to do buſineſs out of *Boſton*; on which the lieutenant governor prorogued them.

July 25. They met again, but the aſſembly refuſed to do buſineſs; and in their meſſage to Mr. *Hutchinſon*, inſiſted upon the right of the people to appeal to heaven in diſputes between them and perſons in power, when there is an abuſe of power; but they ſoftened what they advanced, by ſaying "We would, however, by no means be underſtood to ſuggeſt, that this people have occaſion at preſent to proceed to ſuch extremity;" and yet they afterward added, "theſe and other grievances and cruelties, too many to be here enumerated, and too melancholy to be much longer borne by this people, we have ſeen brought upon us by the devices of the miniſters of ſtate." They were prorogued afreſh.

Sept. 26. They met a third time. The lieutenant governor told them, that the garriſon at the caſtle in the pay of the province was to be withdrawn by order of his majeſty, and the fortreſs to be garriſoned by his regular forces. His orders were to deliver the poſſeſſion of the fort to ſuch officer as general *Gage* ſhould direct to take the command of it. The information excited a ſuſpicion in the aſſembly, who deſpaired of obtaining a removal to Boſton by perſiſting in a refuſal to do buſineſs; the leaders therefore procured this vote:

29. "Reſolved, that next Wedneſday (October 3) be obſerved by the two houſes as a day of prayer, to ſeek the Lord

Lord for his direction and bleſſing," which went up to the council, and was unanimouſly concurred. Men of a profane caſt are too prone to ridicule religion, becauſe of its being thus made a ſtalkinghorſe to ſerve the purpoſes of politicians. Would they confine their wit and ſatire to the parties offending, the correction would be proper. But let not the well-intentioned and undeſigning children of devotion, be charged with hypocritical canting, becauſe they are impoſed upon and duped by the ſubtilty of guides, who, like moſt thorough-paced politicians, can change themſelves into angels of light, that they may perfect their devices.

The houſe reſolved to proceed to buſineſs from abſolute neceſſity, proteſting againſt the reſtraint the general court was held under to do it out of *Boſton*. A few days after, they ſent to the lieutenant governor to know whether he held the command of the *Caſtle*. "If the cuſtody and government of that fortreſs," ſaid they, "is now lodged with the military power, independent of the ſupreme civil magiſtrate within this juriſdiction, it is ſo eſſential an alteration of the conſtitution as muſt juſtly alarm a free people." His anſwer was ſo worded, as to leave the aſſembly, in general, ground for concluding, that the military in the caſtle were dependent upon himſelf the ſame as were the provincials. When he delivered it up, he repaired thither, ſent for the keys, and upon colonel *Dalrymple*'s coming into the ſtate room with his officers, gave them to him, and lodged with him the cuſtody and government of the fort, but retained ſome trifling appearances of ſuperior command. He ſoon learnt however, that he could not Oct. 9.

come at a flag when in want of it, or even oars for a boat, without applying to general *Gage*.

Nov. 6. The repreſentatives reſolved, that the merchants having receded from their non-importation agreement, *&c.* they would diſcourage prodigality, extravagance, and the uſe of foreign ſuperfluities; and promote induſtry, frugality, and their own manufactures in the ſeveral towns they repreſented.

7. They appointed a committee of correſpondence to communicate intelligence to the agent and others in Great Britain, and to the ſpeakers of the ſeveral aſſemblies through the continent, or ſuch committees as they have appointed or may appoint.

Before the lieutenant governor prorogued them, he obſerved to them, that ſince they had diſcovered a reſolution to remove unneceſſary obſtacles, they had done more buſineſs, notwithſtanding all the inconveniencies from the place of holding the court, which they had inſiſted upon, than he remembered to have been done in the like ſpace of time, ſince he had ſhared in public affairs.

1771. April 3. The following ſpring ſeſſion produced nothing very material, but afforded him the pleaſing opportunity of acquainting the general court, in form, of his being appointed captain general and commander in chief over the province. The council preſented a congratulatory addreſs, and expreſſed their ſatisfaction at his appointment. Upon the queſtion in the houſe of aſſembly, whether to appoint a committee to prepare an addreſs, there was a negative. The houſe however, afterward requeſted the removal of the general court to *Boſton*, which was not granted.

They

They met, as the year before, at *Cambridge*. In three weeks the aſſembly proteſted againſt his excellency's convening them there, and afterward appointed a committee of correſpondence. May 29.

The governor informed the houſe, that by his majeſty's inſtruction, he was forbidden giving his conſent to ſuch an act as ſubjects the officers of the crown to be taxed, by the aſſeſſors in the towns where they reſide, for the profits which they receive from their commiſſions, although their offices have no relation to the province, ſo that the tax-bill muſt be qualified. July 4.

The houſe, by meſſage, expreſſed their ſurpriſe and alarm at the reaſon aſſigned for his not aſſenting to the tax-bill, and ſaid, "We know of no commiſſioners of his majeſty's cuſtoms, nor of any revenue his majeſty has a right to eſtabliſh in *North America*. We know and feel a tribute levied and extorted from thoſe, who, if they have property, have a right to the abſolute diſpoſal of it." 5.

Had it been known, how inſignificant the taxes were which the officers of the crown were required to pay, it is hard to conceive how wiſdom could have dictated ſuch inſtruction, and have ventured to give a freſh diſguſt to thoſe, who were already too much irritated. However, the governor's inſtructions did not oblige him to confine the general court to *Cambridge*, and he might have removed them to *Boſton*; but by ſhowing a firmneſs in oppoſing their deſires, while they proteſted againſt the reſtraint they were under, he meant to recommend himſelf to the miniſtry. By the ſame intention he was induced, in a great meaſure, to refuſe his conſent to the grants made to Mr. *Bollan* and Mr. De

Berdt's executors by this aſſembly, as he had done in reſpect to thoſe made by the preceding. Theſe refuſals ſerved to keep up the animoſity.

The diſpoſition to import goods into the Maſſachuſetts, in defiance of the laws of revenue and trade, and to ſupport ſuch practices by open violences upon the officers, whoſe duty it was to carry the laws into execution, broke out upon many occaſions; and as uſual, the magiſtrates declined giving their aſſiſtance and ſupport, being in principle oppoſed to ſuch laws, as fundamentally defective in point of rectitude. The like diſpoſition to import goods prevailed in the other colonies; but there was no call to go into the like open violences.

Dec. 3. Mr. Otis jun. was carried off in a poſt-chaiſe, bound hand and foot, his reaſoning powers being wholly deranged. This calamity, which ſomewhat leſſens the weight of oppoſition to miniſterial meaſures, is to be imputed, not to any effects of the affray with Mr. *Robinſon*, but rather to the high tone given to his animal frame by the ſtrength of his paſſions, and a failure in the point of temperance. The ſons of liberty would have ſuſtained an exceſſive loſs, had this event taken place in the early ſtage of the oppoſition; but the times had brought ſo many able perſons of ſimilar ſentiments into the general court, who had been in training for years, and were converſant with the political management of public buſineſs, that the plans of the Maſſachuſetts anti-governmental party ſuffered no derangement.

An opportunity now offers of mentioning, that Sir Alexander Gilmour baronet, and George Dempſter eſq; were the gentlemen who ſo nobly diſtinguiſhed themſelves

ſelves by voting for the repeal of the ſtamp-act, while all the other Scotch members preſent voted againſt it. [See p. 204 at the top.]

After what has been written and tranſmitted, you will judge yourſelf under an obligation to return me ſpeedy information of all that is doing in Great Britain, relative to the American colonies.

LETTER V.

Roxbury, June 25, 1773.

THE annual elections of the *Maſſachuſetts* were in favor of the friends to colonial liberty; but the ſtate of Mr. *Otis*'s mind neceſſarily occaſioned his being left out of the liſt of the *Boſton* repreſentatives. 1772.

The general court ſtill met at *Cambridge*, but the governor adopted a conciliating meaſure, in declining to negative Mr. *Hancock*, who was again choſen one of the council. He had been repeatedly choſen, and till now as repeatedly negatived; he declined however, taking his ſeat at the board, chooſing to remain in the aſſembly as one of the Boſton members. May 28.

Mr. *Hutchinſon* acquainted the houſe, in anſwer to a meſſage, that his majeſty had made proviſion for his ſupport; and then, after requiring the opinion and advice of the council, upon their oaths, whether he might now remove the general court to Boſton, conſiſtent with June 13.

the ſignification of his majeſty's pleaſure to him, and receiving their unanimous opinion and advice in the affirmative, adjourned them to meet at Boſton. He might have aſked and received that very advice long before.

A committee having been appointed to conſider the matter of the governor's ſupport being provided for by the king, reported and obſerved, "That the king's
July 10. providing for the ſupport of the governor is a moſt dangerous innovation. It is a meaſure whereby not only the right of the general aſſembly of this province is reſcinded, but the higheſt indignity is thrown upon it. It is an infraction of the charter in a material point, whereby a moſt important truſt is wreſted out of the hands of the general aſſembly." And the houſe, the ſame day, declared by a meſſage to the governor, "That the making proviſion for his excellency's ſupport, independent of the grants and acts of the general aſſembly, and his excellency's receiving the ſame, is an infraction upon the rights of the inhabitants granted by the royal charter."

The payment of the governors by the crown, is not reliſhed by the colonies, as it makes them entirely dependent upon that, and wholly independent of the people, and provincial aſſemblies; and as it deſtroys the mutual check which each branch of the legiſlature ought to have upon the others, and that balance of power which is eſſential to all free governments. It will be a new ſource of complaint. On the other hand, the affair which has happened in the *Rhode Iſland* government will prove a freſh provocation to miniſtry, and tend to fix them in their plans reſpecting the colonies.

Lieutenant *Dudington* the commander of the late armed ſchooner the *Gaſpee*, had been remarkably aſſiduous in ſupporting the laws againſt ſmuggling, and in ſearching after contraband goods, by which he had given great offence. He had alſo brought upon himſelf the reſentments of many, by firing at the *Providence* packets (employed in tranſporting goods and paſſengers from thence to *Newport*, and *vice verſa*,) in order to oblige the maſters to take down their colours, and by chaſing them even into the docks when it had been refuſed. The *Providence* packet coming up as uſual with colours flying and company on board, probably a party of pleaſure, as is frequent in the ſummer ſeaſon, and refuſing to take them down, the lieutenant fired a ſhot, which being diſregarded he chaſed. It was near upon or quite high water. The packet ſtood in with the land as cloſe as conſiſted with ſafety, deſigning that the *Gaſpee* ſhould be run a-ground in the chaſe. The deſign ſucceeded. The Gaſpee was ſoon faſt, and could not ſtir, the tide having done flowing. The packet proceeded to town. The ſituation of the Gaſpee and reſentment againſt the commander, excited the thought of attacking and deſtroying her. Mr. *John Brown*, a conſiderable merchant of *Providence*, was the principal in the buſineſs. Captain *Whipple* was immediately employed to beat up for volunteers, and a number offered and engaged to go upon any ſervice for which they were wanted. Several whale boats were procured and filled with armed men. Mr. Brown accompanied them in the expedition. Captain Whipple, as they proceeded, obſerved to Mr. Brown, that he might loſe his life, and that he had a family, and therefore he required that care ſhould be

June 9.

taken of them in caſe of his death. Mr. Brown engaged
10. to do it ſhould that happen. About two o'clock in the morning, they boarded and carried the ſchooner, as ſhe lay a-ground about ſeven miles below Providence. Mr. Brown was himſelf the firſt on board. The lieutenant was wounded. He and the crew were put on ſhore, and every thing valuable belonging to him, was taken out and ſaved for him; after which the Gaſpee, with all her ſtores, was burned.

Though a reward of five hundred pounds, together with a pardon, if claimed by an accomplice, has been offered by proclamation for diſcovering and apprehending any of the perſons concerned; yet the commiſſioners appointed to try the matter, have tranſmitted accounts to miniſtry, that *they can obtain no evidence.* If any one had wiſhed to give evidence, that he might get the reward; yet the thought that he ſhould riſk his life, or be obliged to fly the country and become a perpetual exile, would naturally have overcome ſuch propenſity. It was too hazardous to turn informer. Some who were ſecured, in expectation that they would give intelligence, were aſſiſted by the populace in making their eſcape, before any thing material could be learnt from them by the commiſſioners.

Governor *Hutchinſon* and his adherents having been uſed to repreſent the party in oppoſition, as only an uneaſy factious few in Boſton, while the body of the people were quite contented; Mr. *Samuel Adams* was thereby induced to viſit Mr. *James Warren* of *Plymouth*. After converſing upon the ſubject, the latter propoſed to originate and eſtabliſh committees of correſpondence in the ſeveral towns of the colony, in order to learn the ſtrength of

the friends to the rights of the continent, and to unite and increaſe their force. Mr. Samuel Adams returned to Boſton, pleaſed with the propoſal, and communicated the ſame to his confidents. Some doubted whether the meaſure would proſper, and dreaded a diſappointment which might injure the cauſe of liberty. But it was concluded to proceed. The prime managers were about ſix in number; each of whom when ſeparate, headed a diviſion; the ſeveral individuals of which, collected and led diſtinct ſubdiviſions. In this manner the political engine has been conſtructed. The different parts are not equally good and operative. Like other bodies, its compoſition includes numbers who act mechanically, as they are preſſed this or that way by thoſe who judge for them; and divers of the wicked, fitted for evil practices when the adoption of them is thought neceſſary to particular purpoſes, and a part of whoſe creed it is, that in political matters the public good is above every other conſideration, and that all rules of morality when in competition with it, may be ſafely diſpenſed with. When any important tranſaction is to be brought forward, it is thoroughly conſidered by the prime managers. If they approve, each communicates it to his own diviſion; from thence, if adopted, it paſſes to the ſeveral ſubdiviſions, which form a general meeting in order to canvaſs the buſineſs. The prime managers being known only by few to be the promoters of it, are deſired to be preſent at the debate, that they may give their opinion when it cloſes. If they obſerve, that the collected body is in general ſtrongly againſt the meaſure they wiſh to have carried, they declare it to be improper: is it oppoſed by great numbers, but not warmly,

they

they adviſe to a re-conſideration at another meeting, and prepare for its being then adopted; if the oppoſition is not conſiderable, either in number or weight of perſons, they give their reaſons, and then recommend the adoption of the meaſure. The principal actors are determined upon ſecuring the liberties of their country, or periſhing in the attempt.

The news of his majeſty's granting ſalaries to the juſtices of the ſuperior court, afforded them a fair opportunity for executing the plan of eſtabliſhing committees of correſpondence through the colony. The moſt ſpirited pieces were publiſhed, and an alarm ſpread, that the granting ſuch ſalaries tended rapidly to complete the ſyſtem of their ſlavery.

Nov. 2. A town meeting was called, and a committee of correſpondence appointed, to write circular letters to all the towns in the province, and to induce them to unite

19. in meaſures. The committee made a report, containing ſeveral reſolutions contradictory to the ſupremacy of the Britiſh legiſlature. After ſetting forth, that all men have a right to remain in a ſtate of nature as long as they pleaſe, they proceed to a report upon the natural rights of the coloniſts as men, chriſtians and ſubjects; and then form a liſt of infringements and violations of their rights. They enumerate and dwell upon the Britiſh parliament's having aſſumed the power of legiſlation for the colonies in all caſes whatever—the appointment of a number of new officers to ſuperintend the revenues—the granting of ſalaries out of the American revenue, to the governor, the judges of the ſuperior court, the king's attorney and ſolicitor general. The report was accepted, copies printed, and ſix hundred

circu-

circulated through the towns and diſtricts of the province, with a pathetic letter addreſſed to the inhabitants, who were called upon not to doze any longer, or ſit ſupinely in indifference, while the iron hand of oppreſſion was daily tearing the choiceſt fruits from the fair tree of liberty. The circular letter requeſted of each town a free communication of ſentiments on the ſubjects of the report, and was directed to the ſelect men, who were deſired to lay the ſame before a town meeting, which has been generally practiſed, and the proceedings of the town upon the buſineſs have been tranſmitted to the committee at Boſton. This committee have their particular correſpondents in the ſeveral towns, who upon receiving any ſpecial information, are ready to ſpread it with diſpatch among the inhabitants. It conſiſts of twenty-one perſons, of heterogeneous qualities and profeſſions. The governor, in expectation of exciting prejudice, and fixing a ſtigma upon them, their connections and proceedings, has written to a gentleman in power, "Strange that a government, which within a century would ſuffer no perſon to be free of the commonwealth who was not one of their church members, ſhould now take for their leaders men, who openly contemn all religion, and ſhould join deacons and atheiſts in one truſt; and that they ſhould be inſtigated to this by ſome of the clergy, who make the higheſt pretences to devotion; and yet the ſpirit of political party produces all this." He would gladly receive them all into his own arms, and be devoutly thankful for them, were they to change ſides and join in ſupporting his adminiſtration. But he has unwarily acknowledged, that the government, or the great body of the people in

their

their legiſlative and ruling capacity are in the oppoſition, which therefore cannot conſiſt merely of a few factious leaders; and he appears not to have recollected, that men of oppoſite principles and characters will unite heart and hand, in keeping off a general calamity, which will involve them all in one and the ſame ruin. The towns in general have choſen committees of correſpondence, and reſolved in a ſtile agreeable to the wiſhes of the Boſtonians. But the reſolutions have not been alway drawn up by the townſmen. An inhabitant of *Peterſham* applied to that worthy and diſintereſted ſon of liberty, Mr. *Quincy*, whom you will recollect to have been of the council for captain Preſton and the ſoldiers, for his aſſiſtance, and was furniſhed with the following draft intended for Boſton, excepting the introduction and the paragraphs marked with a ſtar, which were added by ſome other perſon.

1773. Jan. 4. At a meeting of the freeholders and other inhabitants of the town of *Peterſham* in the county of *Worceſter*, duly aſſembled according to law, held by adjournment on the 4th of January 1773, the committee choſen the 30th *ult.* made the following report, *viz.* "The town having received a circular letter from the town of *Boſton*, reſpecting the preſent grievances and abominable oppreſſions under which this country groans, have thereupon taken into their moſt ſerious conſideration, the preſent policy of the Britiſh government and adminiſtration, with regard to *Great Britain* and theſe colonies; have carefully reviewed the mode of election, and the quality of the electors of the commons of that iſland; and have alſo attentively reflected upon the enormous and growing influence of the crown, and that bane of all

all free ſtates, a ſtanding army in the time of peace; and in conſequence thereof are fully confirmed in opinion, that the ancient rights of the nation are capitally invaded, and the greateſt part of the moſt precious and eſtabliſhed liberties of *Engliſhmen* utterly deſtroyed:—And whereas the parliament of Great Britain, by various ſtatutes and acts, have unrighteouſly diſtreſſed our trade, denied and precluded us from the ſetting up and carrying on manufactures highly beneficial to the inhabitants of theſe territories; reſtricted and prevented our lawful intercourſe and commerce with other ſtates and kingdoms; have alſo made laws and inſtitutions touching life and limb, in diſheriſon of the ancient common law of the land; and moreover have in theſe latter times, robbed and plundered the honeſt and laborious inhabitants of this extenſive continent of their property, by mere force and power; and are now draining this people of the fruits of their toil, by thus raiſing a revenue from them, againſt the natural rights of man, and in open violation of the laws of God.

This town in union with the worthy inhabitants of Boſton, now think it their indiſpenſable duty to conſider of the premiſes and the preſent aſpect of the times, and to take ſuch ſteps as upon mature deliberation, are judged right and expedient, and hereupon this town

Reſolved, That, with a governor appointed from Great Britain (eſpecially at this day) during pleaſure, with a large ſtipend, dependant upon the will of the crown, and controlled by inſtructions from a Britiſh miniſter of ſtate, with a council ſubject to the negative of ſuch a governor, and with all officers civil and military ſubject to his appointment or conſent, with a caſtle in the hands

of

of a ſtanding army, ſtationed in the very bowels of the land; and that amazing number of placemen and dependants, with which every maritime town already ſwarms, no people can ever be truly virtuous, free, or brave:

Reſolved, That the parliament of Great Britain, uſurping and exerciſing a legiſlative authority over, and extorting an unrighteous revenue from theſe colonies, is againſt all divine and human laws. The late appointment of ſalaries to be paid to our ſuperior court judges, whoſe creation pay and commiſſion depend on mere will and pleaſure, completes a ſyſtem of bondage, equal to any ever fabricated, by the combined efforts of the ingenuity, malice, fraud and wickedneſs of man:

* Reſolved, That it is the opinion of this town, that a deſpotic arbitrary government is the kingdom of this world, as ſet forth in the New Teſtament, and is diametrically oppoſite to the eſtabliſhment of Chriſtianity in a ſociety, and has a direct tendency to ſink a people into a profound ſtate of ignorance and irreligion; and that, if we have an eye to our own and poſterity's happineſs (not only in this world, but the world to come) it is our duty to oppoſe ſuch a government:

* And further reſolved, That the depriving the colonies of their conſtitutional rights, may be fitly compared to the diſmembering the natural body, which will ſoon affect the heart; and it would be nothing unexpected for us to hear, that thoſe very perſons, who have been ſo active in robbing the colonies of their conſtitutional rights, have alſo delivered up the conſtitution of our mother country into the hands of our king:

There-

Therefore reſolved, That it is the firſt and higheſt ſocial duty of this people, to conſider of, and ſeek ways and means, for a ſpeedy redreſs of theſe mighty grievances and intolerable wrongs; and that for the obtaining of this end, this people are warranted, by the laws of God and nature, in the uſe of every rightful art and energy of policy, ſtratagem and force.

* And while we are thus under theſe awful frowns of divine Providence, and involved as this people are in heavy calamities, which daily increaſe in number and ſeverity, it is highly becoming towns and individuals to humble themſelves before Almighty God, ſeriouſly to commune with their own hearts, and ſeek carefully with tears, for the cauſes of the prevailing diſtreſſes of the land; and while it is apparent, that priſtine piety and purity of morals, have given place to infidelity, diſſipation, luxury, and groſs corruption of mind and morals, there is a loud call for public humility, lamentings and reformation; and it is at this time eminently incumbent on one and all, to ſeek at the throne of the Great God for thoſe ſpecial and remarkable interpoſitions of divine Providence, grace and mercy, which have ſo often ſaved New England from both public and private diſtreſs and miſery: and as there is great reaſon to believe, that in paſt times we have too much depended upon the exertions of worldly wiſdom and political devices, it becomes us in our preſent melancholy ſituation, to rely no longer on an arm of fleſh, but on the arms of that all-powerful God, who is able to unite the numerous inhabitants of this extenſive territory, as a band of brothers in one common cauſe—who can eaſily give that true religion, which ſhall make us his people indeed; that

ſpirit

ſpirit, which ſhall fit us to endure temporal hardſhips for the procurement of future happineſs; that ſpirit of valor and irreſiſtible courage, which ſhall occaſion our aged and our youth to jeopard their lives with joy, in the high places of the field, for his name and ſervice ſake, for the preſervation alſo of this goodly heritage of our fathers, for the ſake of the living children of our loins, and the unborn millions of poſterity.

* We believe that there are very many, who in theſe days have kept their integrity and garments unſpotted, and hope that God will deliver them and our nation for their ſake. God will not ſuffer this land, where the goſpel hath flouriſhed, to become a ſlave of the world; he will ſtir up witneſſes of the truth; and in his own time ſpirit his people to ſtand up for his cauſe, and deliver them. In a ſimilar belief, that patriot of patriots the great *Algernon Sidney* lived and died, and dying breathed a like ſentiment and prophecy, touching his own and the then approaching times, a prophecy however not accompliſhed until a glorious revolution.

Approved of by vote of the town, without contradiction.

SYLVANUS HOW, per order.

The governor, inſtead of over-looking in his ſpeech, the proceedings of the towns, has been induced by them to broach the diſpute about the ſupremacy of the parliament; and has fallen into the ſnare, which probably ſome of the politicians laid for him, expecting to get the majority of the general court to declare againſt it. He deſigned to recommend himſelf to the miniſtry by obtaining a victory; but they will not thank him for increaſing their embarraſſments.

The

The council in their anſwer, ſaid, "The ſtamp-act with ſome preceding and ſucceeding acts of parliament, ſubjecting the colonies to taxes without their conſent, was the original cauſe of all the uneaſineſs that has happened ſince, and has occaſioned alſo an inquiry into the nature and extent of the authority by which they were made." Jan. 25.

This was the truth. When the ſtamp-act took place, "ſome people, under the notion of zeal for liberty, ran into the moſt exceſſive licentiouſneſs, and were guilty in one place and another of the moſt lawleſs, unjuſt, and tyrannical proceedings; ſuch as pulling down and deſtroying houſes, abuſing perſons, endangering men's lives, deſtroying their property, breaking windows, delivering priſoners out of the hands of juſtice, putting many into great fear, all contrary to the laws of the province: but there was nothing of this kind before *." Let me add, that in all my reſearches, not an inſtance has occurred to me of the mob's having been the death of a ſingle individual, though they might have proceeded to the moſt criminal lengths alſo, had they not been gratified or diverted from their purſuits. But before that fatal act, there was not a more loyal, orderly, and peaceable people, than the Americans in general, through the whole Britiſh empire. All ranks and conditions gloried in their connection with Great Britain; rejoiced in her friendſhip and protection; and triumphed in her proſperity.

Toward the cloſe of their anſwer, the houſe of aſſembly expreſſed a concern at their having been reduced by the ſpeech to the unhappy alternative, either of appear-

* The Rev. Mr. Whitney's diſcourſes on the public faſt.

ing by their ſilence to acquieſce in the governor's ſentiments as to the ſupremacy of parliament, or of freely diſcuſſing the point. The houſe might be concerned; but the leaders were pleaſed with the opportunity. The governor replied; and the houſe in their rejoinder told him, "Although the colony may have ſubmitted *ſub ſilentio* to ſome acts of parliament, that they conceived might operate for their benefit, they did not conceive themſelves bound by any of its acts, which they judged would operate to the injury of individuals." The people at large believe, that the houſe has the beſt of the argument, and are confirmed in their oppoſition to the claims of parliament.

The houſe voted the uſual ſalaries to the judges of the ſuperior court early in the ſeſſion. The governor delayed giving his aſſent to the grants; which produced a meſſage to him requeſting his making known the difficulty that prevented his aſſenting; to this it was anſwered, that he had received information, that his majeſty had been pleaſed to order ſalaries to be allowed to the juſtices of the ſuperior courts, &c. By this anſwer
Feb. the houſe gained the opportunity of ſending a ſecond meſſage, in which they expreſſed their reſentment at the many attempts made, effectually to render null and void thoſe clauſes in their charter, upon which the freedom of their conſtitution depends; and ſaid that they were more and more convinced, that it had been the deſign of adminiſtration to introduce an arbitrary government into the province. They declared at the cloſe, their impatience to know, "that the juſtices will utterly refuſe ever to accept of ſupport in a manner ſo juſtly obnoxious to the people of the province, it being repug-

nant to the charter, and utterly inconſiſtent with the ſafety of the rights, liberties, and properties of the people." To add the greater weight to their ſentiments, and make them the more regarded by all perſons, they came to ſeveral reſolves reſpecting the ſalaries and the judges: among the reſt, "that their dependence on the crown, eſpecially while they hold their commiſſions during pleaſure, tends to the ſubverſion of juſtice and equity, and to introduce oppreſſion and deſpotic power: and that while they hold during pleaſure, any who ſhall accept of and depend upon the pleaſure of the crown for his ſupport, independent of the grants of the general court, will diſcover that he is an enemy to the conſtitution, and has it in his heart to promote the eſtabliſhment of an arbitrary government in the province." Mar. 3.

The meaſures purſued on each ſide the Atlantic are not calculated to promote harmony.

LETTER VI.

London, Auguſt 7, 1773.

FRIEND G.

YOU will receive from me, without further application, regular accounts of what is doing on this ſide the Atlantic, in relation to the colonies.

The burning of the *Gaſpee* ſchooner near Providence, has given the chief riſe to "An act for the better ſe-

curing his majeſty's dock yards, magazines, ſhips, ammunition, and ſtores." If the button of a marine's coat, the oar of a cutter's boat, or the head of a caſk belonging to the fleet, are included under the comprehenſive term *ſtores*, then according to the act, a perſon wilfully and maliciouſly deſtroying, or aiding and aſſiſting in deſtroying the ſame, is to ſuffer death on being convicted. But what will affect you more than all the reſt is, that the act is extended to the colonies, and ſubjects a perſon to a trial at the pleaſure of his majeſty, his heirs or ſucceſſors, in any ſhire or county in Great Britain. Your own feelings will furniſh you with the beſt comment on this new extenſion of parliamentary power.

The ſupporting of the authority of parliament was the only cauſe aſſigned by the miniſter himſelf, for retaining the tea duty, at the very time when he acknowledged it to be as anti-commercial a tax, as any of thoſe which he had repealed upon that principle. It now appears that government had ſomething more in contemplation.

The Eaſt India Company, feeling the bad effects of the colonial ſmuggling trade (occaſioned by the retention of the duty) in the large quantities of tea which remained in their warehouſes unſold, requeſted the repeal of the three-pence per pound in America, and offered that, upon its being complied with, government ſhould retain ſix-pence in the pound on the exportation. Thus the company preſented the happieſt opportunity which could have offered, for honorably removing the cauſe of difference with America. Here was an opening for doing right, without infringing the claims on either ſide. The company aſked, and their ſituation required relief.

It

It could not be alleged, that it was done at the inſtance of American diſcontent. The miniſter was requeſted and intreated, by a gentleman of great weight in the company, and a member of parliament, to embrace the opportunity; but it has been rejected. New contrivances have been ſet on foot to introduce the tea, attended with the three-penny duty, into all the colonies. Various intrigues and ſolicitations have been uſed to induce the chairman and deputy chairman, to undertake this raſh and fooliſh buſineſs. It has been proteſted againſt as contrary to the principles of the company's monopoly: but the power of miniſtry has prevailed; and the inſignificant three-penny duty on tea is doomed to be the fatal bone of contention between Great Britain and America. A bill has been paſſed into an act, for enabling the company to export their own teas. In conſequence of it, they have adopted the ſyſtem, and are become their own factors. They have come to a reſolution of ſending 600 cheſts of tea to *Philadelphia*, the like quantity to *New York* and *Boſton*, beſide what is deſigned for other places: ſeveral ſhips are accordingly freighted for different colonies, and agents appointed for the diſpoſal of the commodity. May 10.

The ſeveral colonies will undoubtedly conſider the ſcheme as calculated merely to circumvent them into a compliance with the revenue law, and thereby to open the door for an unlimited taxation; for if taxation can be eſtabliſhed in this inſtance, it will be extended to others. Conſequences will not fail to convince the miniſter, that it would have been far more eligible to have repealed the duty, than in this way to attempt its eſta-

bliſhment. It will be needleſs for me to aſſure you, that you may upon all occaſions, command the aſſiſtance of,

Your, &c.

N. B. Some of the captains have refuſed to take the tea on board.

LETTER VII.

Roxbury, March 28, 1774.

BEFORE you have an account of the American proceedings in reſpect to the teas of the East-India Company, you muſt be preſented with ſome matters of an earlier date.

1773. May 14. The Boſtonians perſiſted in diſcovering on every occaſion, a determined oppoſition to miniſterial meaſures. Twelve days before the election day the town reſolved, "That if the council apply for Faneuil-hall for to dine in on the anniverſary election day, the ſelect men ſhall not grant it but upon the expreſs conditions, that neither the commiſſioners of the cuſtoms, nor their attendants, nor the officers of the army and navy, ſtationed here for the purpoſe of enforcing unconſtitutional acts of parliament by military execution, be invited." It has been an eſtabliſhed cuſtom for the governor, council, and many other gentlemen, to dine there on that day: but

but the reſolve prevented an application, and occaſioned their dining elſewhere, with the commiſſioners and officers.

Whether the votes of *Boſton* ſent to *Virginia*, as the patriots ſay, or their own private letters might or might not lead to it, the houſe of burgeſſes reſolved, in the beginning of March, to maintain an intercourſe with the ſiſter colonies. They therefore appointed a committee of eleven perſons, "whoſe buſineſs it ſhould be to obtain the moſt early and authentic intelligence of all ſuch acts and reſolutions of the Britiſh parliament, or proceedings of adminiſtration, as may relate to or affect the Britiſh colonies, and to keep up and maintain a correſpondence and communication with their ſiſter colonies." They then reſolved, "That their ſpeaker tranſmit to the ſpeakers of the different aſſemblies their reſolutions to be laid before their aſſemblies, and requeſting their appointing committees." Nothing could be more acceptable to the *Maſſachuſetts* aſſembly. It was the firſt particular buſineſs they entered upon when they met. They came to ſeveral reſolves, and were careful in the firſt to ſpeak highly in praiſe of *Virginia*. They appointed a committee of fifteen members, and directed them "to prepare a circular letter to the ſpeakers, requeſting them to lay the ſame before their reſpective aſſemblies, in confidence that they will comply with the wiſe and ſalutary reſolves of the houſe of burgeſſes of Virginia." *Connecticut*, *Rhode Iſland*, *Maryland*, and *New Hampſhire*, entered into ſimilar meaſures; but the anſwer ordered by the *New Hampſhire* aſſembly, to be given to the ſpeakers of *Virginia* and *Rhode Iſland*, was guardedly expreſſed; they gave aſſurance, that their ſiſter colonies might rely upon

May 28.

their ſincerely joining them in every conſtitutional plan for ſecuring the rights of America. The inſtitution of theſe committees tends greatly to unite the colonies, and to render them more alert and formidable in reſiſting the encroachments of miniſtry. They by this mean become early prepared to meet new and unexpected occurrences; and are drawn in to look upon themſelves as jointly intereſted in each others ſafety, and public concerns.

An event has happened in the *Maſſachuſetts*, which has excited on the part of the people, the utmoſt indignation and animoſity; on the ſide of the governor and others, the greateſt confuſion.

The agent, Dr. *Franklin*, has by ſome means yet unknown, obtained and ſent over to Mr. Bowdoin a number of letters, to be communicated by him after peruſal, to a few truſty gentlemen, viz. the honorable James Pitts, Mr. Thomas Cuſhing, Mr. Samuel Adams, Dr. Winthrop, Dr. Chauncy, and Dr. Cooper: it is added, they are to be returned and put into the place whence they were taken. The letters are ſigned *Tho. Hutchinſon, And. Oliver, Ch. Paxton, Thomas Moffat, Robert Auchmuty, Nath. Rogers, George Rome.* Though they were partly private and confidential, they were deſigned to procure public coercive meaſures; and tended to incenſe the mother country againſt her colonies, and by the ſteps recommended, to widen the breach, which they have undoubtedly effected. Their contents were the ſubject of converſation and ſolicitous inquiry: till at
June 2. length Mr. *Sam. Adams* acquainted the aſſembly, that he had perceived the minds of the people to be greatly agitated with a prevailing report; that letters of an extraordinary

traordinary nature had been written, and ſent to England, greatly to the prejudice of this province—that he had obtained certain letters, which with the conſent of the gentleman from whom he had received them, might be read in the houſe under certain reſtrictions, namely, that the ſaid letters be neither printed nor copied in whole or in part: the propoſal was conſidered, and they were read under the ſaid reſtrictions. A committee of the whole houſe afterward reported, "that the tendency and deſign of ſaid letters was to overthrow the conſtitution of this government, and to introduce arbitrary power into the province;"—Yeas 101, Nays 5.

The reſtrictions under which the letters were communicated, were invalidated by contrivance; and in a week's time, Mr. *Hancock* acquainted the houſe, that he had received copies of certain letters, which he ſuppoſed were copies of the letters before the houſe, and moved that they might be compared. The next day, one of a committee appointed to conſider ſome means whereby the houſe might be honorably and fully poſſeſſed of the letters, reported, "That Mr. S. Adams had acquainted him, that having converſed with the gentleman from whom he received the letters, he was authoriſed to inform the houſe, that the ſaid gentleman conſented (as he found that copies of ſaid letters were already abroad, and had been publicly read) that the houſe ſhould be fully poſſeſſed of them, to print, copy, or make what uſe of them they pleaſed, relying on the goodneſs of the houſe, that the original letters be returned, they retaining atteſted copies for their uſe." Mr. S. Adams being called upon, declared the ſame. At length the aſſembly reſolved to petition the king to

June 9. 10.

remove

June 16. remove governor *Hutchinſon* and lieutenant governor *Oliver* for ever from the government of the province.

22. They agreed alſo to furniſh the council with the original letters upon the expreſs condition, that the board would by no means ſuffer them to go out of their hands. The council complied with the inſulting ſtipulation aimed at the governor; and upon his requiring the letters for examination, refuſed to deliver them into his hands, but ſent a committee to open them before him, that he might examine the hand-writing. To this indignity he

24. was obliged to ſubmit, as well as to the mortification of acknowledging the ſignature. After which they reſolved, "that the removal of the governor and lieutenant governor will be promotive of his majeſty's ſervice."

The *Boſton* committee of correſpondence, that they might add weight to the doings of the general court, incloſed the governor's letters and alſo the reſolves of the houſe, in a ſpirited circular letter, and ſent them to the ſeveral town clerks through the province to be communicated to their reſpective towns.

The houſe of aſſembly in their petition and remonſtrance to his majeſty, charged the governor and lieutenant governor with being betrayers of their truſts and of the people they governed, and with giving private, partial, and falſe information; declared them enemies to the colony; and prayed for juſtice againſt them and for their ſpeedy removal. So prevalent was the reſentment, that theſe charges with many others, were carried through by a majority of 82 to 12.

To enter now upon the ſubject of the TEA. While the bill for allowing the Eaſt-India Company to export

it

it was in parliament, letters from Britain inſinuated into the minds of the coloniſts, that a plan was laid to bring them into a ſnare; that a noble reſiſtance on this occaſion would free them from the ſlavery intended for them; that if this opportunity was loſt they would never have another; and that if they ſuffered the ſhips to land the tea and the duty to be paid, they would rivet their own chains. The Britiſh merchants have been alarmed with the thought of the loſſes, which muſt neceſſarily accrue to themſelves from the exportations of the company, and from the ſales going through the hands of conſignees; and have contributed to the ſtrengthening of that reſiſtance to which the people were already inclined, through their prevailing jealouſy at the reſervation of the tea duty when the other duties were repealed. The united oppoſition of the colonies was to be ſecured; but the event was precarious. The *Boſtonians* were much ſuſpected by the ſons of liberty in the other provinces, on account of the many goods which were imported into the town during the general non-importation agreement, and afterward of the teas contrary to the agreement reſpecting that article. *New York* and *Philadelphia* had kept to the agreement, and had run all the teas that the market demanded: but there had been imported into *Boſton*, from the beginning of 1768 to the end of laſt year, not leſs than 2714 cheſts, by more than a hundred different perſons. Mr. Hutchinſon and his ſons were conſiderable importers. It was evident that the body of merchants could not be depended upon. Mr. *Thomas Mifflin* of Philadelphia being at Boſton, put it therefore to the ſons of liberty, when the teas were expected,

expected, "Will you engage that they ſhall not be landed? If ſo I will anſwer for Philadelphia." They pledged their honor.

Oct. 2. The inhabitants of *Philadelphia* aſſembled and unanimouſly entered into various reſolves, in which they cenſured the reſolution of the Eaſt India company to ſend out their tea to America, ſubject to the payment of duties on its being landed, as an open attempt to enforce the miniſterial plan, and a violent attack upon the liberties of America; and declared it to be the duty of every American to oppoſe this attempt, and that whoever ſhould directly or indirectly countenance it, was an enemy to his country. They then fixed upon a committee to wait on the gentlemen reported to be appointed to receive and ſell the tea, and to requeſt their reſigning. Within three days the whole number reſigned; Meſſrs. *Whartons* and *Brown* without making the leaſt difficulty; the other two not, till the treatment they met with (on appearing at the coffee-houſe) for the ſhuffling anſwer they had given, convinced them that it was not ſafe trifling with the public opinion. Since this meeting, the Boſton ſons of liberty have aſſured by letter the ſons of liberty at Philadelphia, that no tea ſhall be landed.

At *New York*, when captain *Sears* and captain *M'Dougall* heard that the tea was to be ſent, they concluded that an oppoſition to it was neceſſary, and agreed upon contriving to unite the tea-ſmugglers, the merchants, and the ſons of liberty in that ſervice; and that captain *M'Dougall* ſhould write againſt the deſign of introducing and vending the tea agreeable to the miniſterial plan, but ſhould remain concealed as the author. A few of each

each claſs were called together, and the mode of oppoſition ſettled. Publications, tending to ſpread and increaſe the alarm of imminent danger to the liberties of the country, appeared periodically. As the time approached for the arrival of the tea ſhips, the publications became more ſpirited and threatening. An hand bill Nov. addreſſed to the friends of liberty and commerce was 5. circulated through the city, calculated to provoke reſentment againſt all the encouragers of the tea-plan. Afterward written papers were ſtuck up at the coffee- 8. houſe and other places, menacing deſtruction to any perſon who ſhould accept a commiſſion for the ſale of the *Eaſt India* company's teas, or be an acceſſary. In rather more than a week, there was publiſhed a paper 18. ſigned *Legion*, addreſſed to the ſtated pilots of the port, and all others whom it might concern, directing them how to proceed in reference to any tea ſhip, and requiring them at their peril, to bring her no further than the Hook. In another paper, ſigned the *Mohawks*, the tea ſhip is ſaid to be laden with fetters, forged for them in Great Britain, and every vengeance is denounced againſt all perſons, who dare in any manner to contribute to the introduction of theſe chains. In December, the *London*, captain *Chambers*, and the tea ſhip arrived on the ſame day; the former came up directly to the wharf, the other remained at the *Hook*, and was watched till ſhe returned, by a veſſel ſtationed there for the purpoſe. On her arrival a committee waited on the conſignees, who agreeable to a former promiſe aſſured them, that they would neither receive nor ſell the tea, as it came liable to an *American duty*. Captain Chambers ventured to bring ſeventeen cheſts on a private account, which were

taken

taken and thrown overboard into the harbour. Had the company's ſhip came to the wharf, ſhe would probably have been burnt, for captain *Sears* and five others had determined upon it, and provided themſelves with combuſtibles for the purpoſe.

At *Philadelphia*, printed papers were diſperſed, warning the *Delaware* pilots not to conduct any of the tea ſhips into harbour, as they were only ſent for the purpoſe of enſlaving and poiſoning all the Americans; and at the ſame time plainly intimating, that it was expected they would apply their knowledge of the river, under the colour of their profeſſion, ſo as effectually to ſecure their country from ſuch an imminent danger.

In moſt places, the conſignees were obliged to relinquiſh their appointments, and to enter into engagements not to act in that capacity; and no other perſons daring to receive the cargoes conſigned to them, the captains of the New York and Philadelphia ſhips, from theſe circumſtances, and the knowledge of the riſk they ran from the determined reſolution of the people, concluded upon returning directly to Great Britain, without entangling themſelves by any entry at the cuſtom-houſes. But it was otherwiſe in the *Maſſachuſetts*.

Methods were taken to ſpirit up the people at large by fugitive pieces, hand bills, reſolves of town meetings, the mutual intercourſe of committees and the like. At length, ſome hundreds of the inhabitants of
Nov. 3. *Boſton* and the neighbouring towns, meet at *Liberty-tree*, agreeable to a notification iſſued the day before, "for to hear the conſignees reſign and ſwear that they will reſhip any teas, that may by the *Eaſt-India* company be aſſigned to them." The conſignees are in general obnoxious

noxious to the public by reaſon of their near and intimate connections with the governor, on whoſe ſupport they depend. They are not terrified into an appearance at the place propoſed; but meet together by agreement at the ſtore of Mr. *Clark*, who is one of them, in King-ſtreet. A committee is appointed by the aſſembly to wait upon them with a meſſage, to which they pay no regard. The people, who attend the committee as ſpectators, upon this force open the doors of the warehouſe, and enter with great violence; and then attempt getting up ſtairs into the comptinghouſe, but are driven back. The ſons of liberty not having ſucceeded in this procedure, a town-meeting of the freeholders and other inhabitants is called. A large number is collected; and it is agreed to adopt the reſolves of the citizens of Philadelphia. A committee is choſen to wait upon the conſignees, who decline complying with the requeſt of the town by letters, which, though decent, are the next day voted daringly affronting, when the meeting is immediately diſſolved. Some of the ſons of liberty are fearful of puſhing the matter too far, leſt the town, and then the colony, ſhould be drawn into a quarrel with Great Britain. To ſuch it is ſaid, "It muſt come to a quarrel with Great Britain and the colony, ſooner or later; and if ſo, what can be a better time than the preſent? Hundreds of years may paſs away before the parliament will make ſuch a number of acts in violation of the Britiſh conſtitution as it has done of late years, and by which it has excited ſo formidable an oppoſition to the meaſures of miniſtry. Beſide, the longer the conteſt is delayed, the more adminiſtration will be ſtrengthened. Do not you obſerve, how the govern- Nov. 5.

ment

ment at home are increaſing their party here, by ſending over young fellows to enjoy appointments, who marry into our firſt families and ſo weaken the oppoſition? By ſuch like means, and by multiplying poſts and places, and giving them to their own friends, or applying them to the corruption of their antagoniſts, they will increaſe their own force faſter in proportion than the force of the country party will increaſe by population. If then we muſt quarrel, ere we can have our rights ſecured, now is the moſt eligible period. Our credit alſo is at ſtake; we muſt venture, and unleſs we do, we ſhall be diſcarded by the ſons of liberty in the other colonies, whoſe aſſiſtance we may expect upon emergencies, in caſe they find us ſteady, reſolute and faithful." They conclude to venture onward.

18. A new town-meeting is called, and a new committee appointed to wait upon the conſignees to know, whether they will reſign their appointment; to which they anſwer, "It is out of our power to comply with the requeſt of the town." This anſwer may be built upon ſolemn engagements not to reſign; otherwiſe it is hard to conceive how it ſhould be more out of their power, than the power of the Philadelphia conſignees, who have reſigned ſix weeks ago. It is a managed affair between

19. them and the governor, who calls a council for advice upon meaſures proper for preſerving the peace, and for ſupporting the authority of government. While the council are debating, a petition of the conſignees is preſented, praying leave to reſign themſelves and the property committed to them, to his excellency and their honors as the guardians of the people. After debate the further conſideration is poſtponed to the 23d, then

to

to the 27th, then to the 29th, when the council make a 29.
few obſervations, decline complying with the petition, and adviſe his excellency to renew his orders to the juſtices and others, to exert themſelves for the ſecurity of his majeſty's ſubjects, the preſervation of peace and good order, and for preventing all offences againſt the law. About this time the conſignees, conſiſting of the governor's ſons, couſins, and particular friends, remove to the caſtle for perſonal ſafety. The day before the laſt meeting of the council, captain *Hall* in the *Dartmouth*, came to an anchor near the caſtle, having on board one hundred and fourteen cheſts of tea; and on the day of their meeting, comes into the harbour. On the ſame day a notification is poſted up in all parts of the town, inviting every friend to his country to meet at nine o'clock, to make a united reſiſtance to the moſt deſtructive meaſure of adminiſtration. The meeting of the people of Boſton and the neighbouring towns is continued by adjournment to the next day, when it is de- 30.
termined, that the tea ſhall be returned. Faneuil-hall being too ſmall for the aſſembly, they adjourn to the Old South Meeting-houſe, and confirm the former determination by voting, "that the tea ſhall not be landed, that no duty ſhall be paid, and that it ſhall be ſent back in the ſame bottom." They further vote, "that Mr. *Rotch*, the owner of the veſſel, be directed not to enter the tea at his peril, and that captain *Hall* be informed, at his peril not to ſuffer any of the tea to be landed." They alſo appoint a watch of twenty-five men to be a guard upon the Dartmouth, lying at *Griffin*'s wharf. A letter is received from the conſignees, offering to ſtore the teas till they can write and receive

further orders; but the propoſal is rejected. Mr. *Greenleaf*, the ſheriff, appears and begs leave to read a proclamation from the governor, which requires the people forthwith to diſperſe and to ſurceaſe all further proceedings. He is allowed to do it; and, upon finiſhing, there is a loud and general hiſs. The people afterward vote, "that captain *Bruce*, on his arrival, do conform to the votes reſpecting Hall's veſſel; that no tea from Great Britain be landed or ſold till the act impoſing the duty is repealed; that the captain of the preſent watch be deſired to make out a liſt for the next night, and ſo on, until the veſſels leave the harbour; that ſhould the watch be moleſted, the inhabitants be alarmed by the tolling of the bells at night, and the ringing of them in the day; that ſix perſons be appointed to give notice to the country towns, upon any important occaſion; that every veſſel arriving with tea have a proper watch, and that their brethren in the country be deſired to afford their aſſiſtance on the firſt notice." They determine to carry their votes and reſolves into execution at the riſk of life and property; thank their brethren in the neighbouring towns, and then diſſolve the meeting.

After the diſſolution, the committee of correſpondence for the town of Boſton hold their meetings, and invite the like committees of the adjacent towns to join them; ſeveral do it; the whole jointly aſſume the direction of all that relates to the teas of the Eaſt India company. They keep a conſtant military watch of twenty-five men every night, generally with fire arms, to prevent the tea being privately landed. The veſſels belonging to captains *Bruce* and *Coffin*, are upon their arrival ordered to Griffin's wharf.

The

The people of Boſton and the neighbouring towns, that have agreed to act in concert with Boſton, meet at the Old South Meeting-houſe, and conclude upon ordering Mr. *Rotch* to apply immediately for a clearance for his ſhip. Mean while the governor receiving intimation that ſhe would be ſent to ſea, and that it might not be through the ordinary channel by the caſtle, acquaints admiral *Montague* and deſires him to take the proper precautions, on which the admiral orders the Active and King Fiſher to be fitted for ſea, and to fall down and guard the paſſages out of the harbour. The governor likewiſe renews in writing his orders to colonel *Leſlie*, to ſuffer no veſſel, coaſters excepted, to paſs the fortreſs from the town without a permit ſigned by himſelf. A ſufficient number of guns are loaded on this ſpecial occaſion. Dec. 14.

The aſſembly are acquainted, that the collector cannot give Mr. *Rotch* a clearance, until the veſſel is diſcharged of dutiable articles. Mr. *Samuel Phillips Savage*, of *Weſton*, is choſen moderator. The number aſſembled from town and country is thought to be ſome thouſands. Upon the preſent criſis ſeveral gentlemen deliver their ſentiments; and Mr. *Joſiah Quincy* jun. his to the following purpoſe;—"It is not, Mr. Moderator, the ſpirit that vapors within theſe walls that muſt ſtand us in ſtead. The exertions of this day will call forth events, which will make a very different ſpirit neceſſary for our ſalvation. Whoever ſuppoſes, that ſhouts and hoſannas will terminate the trials of the day, entertains a childiſh fancy. We muſt be groſsly ignorant of the importance and value of the prize for which we contend; we muſt be equally igno- 16.

rant of the power of thoſe who have combined againſt us; we muſt be blind to that malice, inveteracy, and inſatiable revenge, which actuate our enemies public and private, abroad and in our boſom, to hope that we ſhall end this controverſy without the ſharpeſt, the ſharpeſt conflicts—to flatter ourſelves that popular reſolves, popular harangues, popular acclamations, and popular vapor, will vanquiſh our foes. Let us conſider the iſſue. Let us look to the end. Let us weigh and conſider, before we advance to thoſe meaſures, which muſt bring on the moſt trying and terrible ſtruggle this country ever ſaw."

About three o'clock in the afternoon the queſtion is put, "will you abide by your former reſolutions with reſpect to not ſuffering the tea to be landed?" It paſſes in the affirmative, *nem. con.*

Mr. *Rotch* is ordered to make a proteſt, and procure a paſs for his veſſel. He waits upon the governor at Milton, who offers to give him a letter to the admiral for protection, which he declines, fearing in that caſe the rage of the people, and being in no concern about his ſhip, as that is not the object of reſentment, but the tea. He intimates to the governor, that ſome of the leaders of the people wiſh the ſhip to go down and be ſtopped at the caſtle, "for then they will be rid of the affair, and may ſay they have done all in their power." While Mr. Rotch is abſent, the ſpeakers in the meeting keep the people together by engaging their attention till he returns, which is before ſix o'clock, when he informs the body, that upon applying to the governor for a paſs, he received for anſwer, "I cannot give you a paſs conſiſtent with the laws and my duty to the king, unleſs

unleſs the veſſel is properly qualified from the cuſtom-houſe." Upon this there is a great deal of diſputing, when a perſon diſguiſed like an Indian, gives the war-whoop in the front gallery, where there are few if any beſides himſelf. Upon this ſignal it is moved and voted that the meeting be immediately diſſolved. The people crowd out and run in numbers to Griffin's wharf. At the ſame inſtant, a number of perſons, chiefly maſters of veſſels and ſhip-builders from the north end of the town, about ſeventeen, though judged to be many more as they run along, croſs Fort-hill, dreſſed as Indians, and repair to the tea ſhips; and in about two hours hoiſt out of them and break open 342 cheſts of tea, and diſcharge their contents into the ſalt water. They are not in the leaſt moleſted. The multitude of ſpectators upon and about the wharf, ſerves as a covering party. The whole buſineſs is conducted with very little tumult, and no damage done to the veſſels or any other property: when finiſhed, the people return quietly to their own towns and habitations.

Prior to the deſtruction of the tea, captain *Loring* in a brig, being the fourth and laſt veſſel on the Eaſt-India Company's account, was caſt aſhore at Cape Cod; and what tea was ſaved, has been conveyed to the caſtle.

The arrival of the tea-ſhips firſt at Boſton, the conſignees refuſing to reſign, though they had the example of others to induce them, and the governor's reſolution to pay no regard to the voice of the public, brought on the deſtruction of the tea. The ſons of liberty were ſenſible, that if it was landed and ſtored, it would ſome how or other obtain a ſale; and that the virtue of the people, to decline buying and uſing a commodity to

which they were ſo attached from love and habit, was too precarious a ground on which to riſk the ſalvation of their country. They have been obliged, but with the utmoſt reluctance, to venture upon a deſperate remedy. Many of their friends, who are not acquainted with circumſtances or do not attend to them, may be ready to cenſure them ſeverely. But had the tea been landed, the union of the colonies in oppoſing the miniſterial ſchemes would have been diſſolved; and it would have been extremely difficult ever after to have reſtored it. The fulfilment of their ſolemn declaration, that the tea ſhould not be landed, though in a way which would not have been choſen had any other effectual one offered, has ſecured them the good opinion and confidence of their co-patriots in other parts. The governor has that influence with the conſignees, that he could undoubtedly have prevailed on them to reſign; but he has encouraged them to the contrary: and therefore what he has written, "It has been abſolutely out of my power to prevent the deſtruction of the tea, without conceding to the unreaſonable demands of a lawleſs ſet of men, and thereby giving government up and rendering myſelf obnoxious to my ſovereign," will ſcarce be admitted as a ſufficient juſtification. Sovereigns themſelves, upon ſpecial emergencies, wiſely give place to the opinions and wiſhes of their ſubjects; but are often diſgraced and forced into difficulties, through the want of like wiſdom in their repreſentatives. Had the governor given a paſs for the ſhip in the preſent inſtance, he would not have been viewed by conſiderate perſons, as breaking either the laws or his oath. Caſes offer, when ſtatute laws and oaths of office are required to give place to the ſupreme

law

law of ſociety, the ſafety of the community. Had he looked back to the time of the ſtamp-act, he would probably have found many precedents of ſhips having permits from his predeceſſor in office, Sir Francis Bernard, to paſs the caſtle without being duly qualified for want of ſtamps; and yet the granting them did not render Sir Francis obnoxious to his ſovereign. But the truth was, Mr. *Hutchinſon* had repeatedly urged government at home to be firm and perſevering; this was a favorite topic on which he was often inſiſting; he himſelf therefore could not think of yielding: and then he would not believe that the people were determined at all adventures to perfect their engagements; but expected that when the critical moment came, they would deſiſt. Whereas when that moment came, and the tea on board the Dartmouth, captain Hall, was in danger of being ſeized and ſecured by the cuſtom-houſe officers, who might have been ſupported by admiral Montague, the ſons of liberty projected the deſtruction of it in the manner above related: and in order to make ſhort work of the whole buſineſs, and prevent their repeating the preceding formalities, they did not confine their operations to the tea on board the Dartmouth, but extended them to the teas brought in afterward by captains *Bruce* and *Coffin*.

Some expect that the deſtruction of the tea will iſſue in the deſtruction of the charter, which will make the inhabitants of the colony furious beyond expreſſion. One gentleman, apprehenſive of the fatal conſequences that will follow upon the parliament's meddling with the charter, the great darling of the people, has written freely and fully upon the ſubject to his correſpondent,

an influential member in the houſe. Another, being deſirous of learning the real ſentiments of the more moderate party, and of ſuch as have not plunged themſelves into the politics of the day, has converſed with ſeveral of them; but has diſcovered in them the warmeſt indignation and the higheſt reſentment at the thought of being deprived of their charter. A major in the militia (whom Mr. Hutchinſon honored with the commiſſion, for his good conduct as foreman of the jury on the trial of the ſoldiers for killing the perſons on the 5th of March 1770) told him, "Sir, you know that I am a friend to government and wiſh to ſupport it; but if there is an attempt to take away our charter, I will fight up to my knees in blood in defence of it." The gentleman has perceived ſuch a ſpirit to predominate among all the people, that he has judged it right to communicate his knowledge to Sir Francis Bernard, and to acquaint him with his apprehenſions as to the fatal conſequences which will follow upon the adoption of violent meaſures. He has written alſo to another friend upon the ſubject, in hope that the intelligence will get to the miniſtry, and prove beneficial to the public, by preventing harſh proceedings. At Charleſtown the Carolinians have unloaded the tea, and ſtored it in cellars, where it cannot be uſed, and where it will finally periſh.

Let me paſs from hence to relate the doings of the *Maſſachuſetts* aſſembly reſpecting the judges, which you will probably pronounce intemperate.

The houſe being informed, that each of the judges refuſed to take more than one half of the ſum granted them the laſt year, which they conſidered as implying on the part of the judges, a determination to accept of

their

their ſupport from the crown, reſolved, "That it is the incumbent duty of the judges explicitly to declare, whether they are determined to receive the grants of the general aſſembly or to accept of their ſupport from the crown; and their delaying any longer to let the public know their determination, will diſcover that they have little or no regard for the peace and welfare of the province: and in ſuch caſe it will be the indiſpenſable duty of the commons of this province to impeach them before the governor and council." Four of the judges, in the beginning of February, acquainted the houſe that they had received their whole ſalary granted them by the general court, and not any part of the grant made by the crown, and that they were determined ſtill to receive the grants of the general aſſembly; which was pronounced ſatisfactory. But the chief juſtice, *Peter Oliver* eſq; ſent them a letter informing them, That ſince being upon the bench ſeventeen years, he had ſuffered above three thouſand pounds ſterling; that he had been encouraged not to reſign with the hope of a ſupport, but had never been relieved; that he had taken his majeſty's grant from the 5th of July 1772 to the 5th of January 1774, and that without his majeſty's leave he dare not refuſe it. 1774. Feb. 3.

The houſe reſolved, "That Peter Oliver hath, by his conduct, proved himſelf an enemy to the conſtitution of this province, and is become juſtly obnoxious to the good people of it; that he ought to be removed from the office of chief juſtice; and that a remonſtrance and petition to the governor and council for his immediate removal be prepared"—yeas 96—nays 9. 11.

The

Feb. 24. The houſe propoſed to exhibit articles of impeachment, in their own name and the name of all the inhabitants of the province, againſt the chief juſtice. His excellency excepted to the proceedings of the houſe as unconſtitutional; for which reaſon he could not give them any countenance.

Mar. 1. They prepared articles of high crimes and miſdemeanors againſt the chief juſtice, to preſent to his excellency and the council, in which they ſaid, "The ſalary and hopes of augmentation muſt have the effect of a continual bribe, and expoſe him to a violation of his oath. His accepting hath betrayed the baſeneſs of his heart and the luſt of covetouſneſs, in breach of his engagements to rely ſolely on the grants of the aſſembly, neceſſarily implied and involved in his accepting ſaid office. By receiving a grant out of the revenue unjuſtly extorted from the American colonies, he hath, as far as lay in his power, put a ſanction on and eſtabliſhed the ſaid revenue, counter-acted the reaſonable petitions of the people to his majeſty, and in defiance of the known ſenſe of the body of this people, hath wickedly endeavoured to increaſe the diſcontent and jealouſies of this people and the grievance aforementioned."

9. It was reſolved, "That the houſe have done all that in the capacity of repreſentatives can be done for the removal of Peter Oliver; and it muſt be preſumed, that the governor's refuſing to take any meaſures therein is becauſe he alſo receives his ſupport from the crown."

It is not to be thought, that the leading gentlemen in theſe proceedings expected to obtain the removal of the chief juſtice: but by the help of them, they rendered him

him and the governor more and more obnoxious to the body of the people; added to the dignity and importance of the houſe in the eyes of the repreſentatives, by placing them upon an apparent level with the houſe of commons in Britain; and preſerved the general animoſity againſt miniſterial meaſures from falling into a decline.

The real, genuine ſentiments of the profeſſed patriots may be deſired; let me therefore mention, that theſe are divided in wiſh and opinion. The great body of them through the ſeveral colonies and even in this, aim at no more than the removal of all the innovations ſince the expiration of the war. They want to have matters revert back to the ſtate in which they were when the peace commenced; and to be fixed in that ſtate. They wiſh moſt ardently to continue in union with Great Britain; and abhor the thought of a ſeparation. They judge that it would be neither ſafe nor beneficial; that it is infinitely more eligible to have the protection of the mother country, and to remain under her ſhadow; and that no greater happineſs can be enjoyed by them, than a thorough reſtoration of harmony and affection between them and the parent ſtate, ſo as to obliterate the remembrance of all paſt animoſity. But there are a few in this colony who hanker after independency, and will be likely to bend their whole influence for the obtaining of it, whenever there is the leaſt opening to encourage their efforts. At the head of theſe we muſt place Mr. *Samuel Adams*, who has long ſince ſaid in ſmall confidential companies—"The country ſhall be independent, and we will be ſatisfied with nothing ſhort of it." At one time his influence was ſmall, owing to

defects

defects in pecuniary matters, eſpecially as collector of the taxes for Boſton, in which office he ſerved for years. He was accountable to the town for between one and two thouſand pounds; but a great part of it had never been gathered. What with not preſſing the payment of the taxes in time, as is too generally the caſe; not calling when the money happened to be ready and other caſualties, no inconſiderable ſum was loſt. His neceſſities probably (for he appears to be addicted to no extravagances) urged him to ſupply himſelf, time after time, from the caſh in hand, without attending to the accumulation of the balance againſt him, till called upon to ſettle. The town had ſeveral meetings upon the buſineſs; at length, by the exertion of his friends, a majority was obtained for the relinquiſhment of the demand upon him. Since his firſt election into the houſe in 1765, his influence has been gradually increaſing, until he has obtained a great aſcendency in directing the town of Boſton, and the houſe of repreſentatives, and conſequently the council. His abilities and policy will foſter the idea of independency, by the aids of thoſe very ſeverities the miniſtry may adopt, in order to compel the colonies into a ſubmiſſion to parliamentary authority in all caſes whatever.

LETTER VIII.

London, July 2, 1774.

THE letters ſent over to the Maſſachuſetts by Dr. Franklin have produced a duel between Mr. *Whateley* the banker, brother to the late ſecretary to the treaſury, and *John Temple* eſq; in which the former was dangerouſly wounded. This has led the doctor to inform the public, that both the gentlemen are totally ignorant and innocent, as to the tranſaction and its circumſtances about which they fought. He declares that he alone was the perſon who obtained and tranſmitted to Boſton the letters in queſtion, and ſays—" Mr. W. could not communicate them, becauſe they were never in his poſſeſſion; and for the ſame reaſon they could not be taken from him by Mr. T." The doctor juſtifies his own conduct, and concludes with telling the world, he " thought it his duty to tranſmit them to his conſtituents." But if they were ſent over to be communicated to a few confidential gentlemen only, inſtead of being addreſſed to the ſpeaker of the aſſembly, or one of the committee appointed to correſpond with him, with orders to lay them before the houſe, how were they *tranſmitted to his conſtituents?* There is ſomething myſterious in this buſineſs, which it is apprehended will not bear a diſcovery at preſent. It is ſuſpected that the letters were procured out of ſome public office; and that Mr.

Mr. Temple is not ſo perfectly ignorant of all circumſtances as the doctor's language ſeems to expreſs.

1774. Jan. 29. The merits of the petition, preſented ſome time ago by the doctor as agent for the Maſſachuſetts, praying for the removal of the governor, came on to be heard before the privy council. It is reported, that Mr. *W*——, wandering from the proper queſtion before their lordſhips, poured forth ſuch a torrent of virulent abuſe on Dr. *Franklin* as ſcarce ever before took place in judicial proceedings. His reproaches appeared to ſome preſent to be incompatible with the principles of law, truth, juſtice, propriety and humanity. And it was thought it would have redounded more to the honor of their lordſhips, had they ſeemed to enjoy leſs the laſhes which the doctor underwent; and had they expreſſed their diſſatisfaction by reducing the orator to the remembrance of the exalted characters before whom he uttered ſuch language. The petition was diſmiſſed, and the doctor is diſplaced from the office of deputy poſtmaſter general for the colonies. The philoſopher may recollect in ſome future day the liberties taken with him before the privy council on the twenty-ninth of January, and take ample revenge on Britiſh miniſters and courtiers.

Mar. 7. A meſſage from his majeſty, on account of the late diſturbances in America, was preſented to both houſes. Particular mention was made of the outrage committed by the people at Boſton. Matters are now brought to a criſis, and miniſtry are bent upon vigorous, ſpirited meaſures. To prevent oppoſition from the merchants, the public papers were filled with writings on the ſubject, which painted the miſconduct of the colonies in the ſtrongeſt colours, and urged in particular the impoſſibility

of the future exiſtence of any trade to America, if this flagrant outrage on commerce, as it is pronounced, went unpuniſhed. Theſe with other endeavours had the propoſed effect. The reſentment againſt the Americans became as high and as ſtrong as could be deſired, within the houſe: but the ſtorm was to be directed againſt the *Maſſachuſetts*. The miniſter, in debate, ſtated that the oppoſition to the authority of parliament had always originated in that colony; and that that colony had always been inſtigated to ſuch conduct, by the irregular and ſeditious proceedings of Boſton. It was become neceſſary therefore to begin with that town. He had forgot, or would not mention, that the violent oppoſition to the ſtamp-act originated in Virginia.

Leave was given to bring in a bill "for the immediate 14.
removal of the officers concerned in the collection of the cuſtoms from Boſton, and to diſcontinue the landing and diſcharging, lading and ſhipping of goods, wares and merchandiſes, at Boſton or within the harbour thereof." At the firſt introduction of the bill it was received with general applauſe. Mr. *Bollan* however, petitioned to be heard for the Maſſachuſetts council, and in behalf of himſelf, and other inhabitants of Boſton. The commons refuſed to admit his petition, though a few days back they had received one from him as agent for the council. The lords were actually hearing him on a petition, as a perſon duly qualified. On the third reading of the bill, another petition was preſented, in the name of ſeveral natives and inhabitants of North America; which inſiſted ſtrongly on the injuſtice of the act, and its tendency to alienate the affections of America; and expreſsly declared, that the attachment of

America

America could not long ſurvive the juſtice of Great Britain. The minority members maintained, that the bill ſtood ſimply as a proſcription of one of the greateſt trading towns in the Britiſh dominions from the uſe of their port, and from all the commerce by which thouſands obtained their bread. "Have we not (ſay they) given an extent of power to his majeſty to prevent the port of Boſton from ever being reinſtated, if the king ſhould think proper? A fine is laid; the trade is prohibited until it is paid; and when the fine is paid, the town may be as far from recovering her trade as ever. The act provides, that the crown muſt have ſatisfaction, and that the laws of trade and revenue ſhall be obeyed. There is a ſting in this. The act under pretence of an indemnity to the Eaſt India Company, is meant to enforce the ſubmiſſion to taxes. America will ſee this; and the cauſe of Boſton will be made the cauſe of all the colonies. They are all as guilty as Boſton. Not one has received the tea: ſome have deſtroyed it, others ſent it back." But all oppoſition was ineffectual; for the projected meaſures of government were immutable. The bill paſſed; and was carried up to the houſe of lords, where it was warmly debated, but, as in the houſe of commons, paſſed without a diviſion.

Mar. 31. It received the royal aſſent.

The Boſton port-bill formed only one part of the coercive plan propoſed by miniſtry. A bill was ſoon brought in for "the better regulating the government of the Maſſachuſetts-bay." The purport of it was, to alter the conſtitution of the province, to take the whole executive power out of the hands of the democratic part, and to veſt the nomination of counſellors, judges and

and magiſtrates of all kinds, including ſheriffs, in the crown, and in ſome caſes in the king's governor, and all to be removable at the pleaſure of the crown.

In the debates it was aſked of miniſtry, whether the colonies already regulated nearly in the manner propoſed by the bill, were more ſubmiſſive to the right of taxation than the Maſſachuſetts. It was juſtly argued, that the diſorder lay much deeper than the forms of government; that the people throughout the continent were univerſally diſſatisfied; and that the uneaſineſs and reſiſtance was no leſs in the royal governments than in any other. Mr. *Bollan* again made an effort in favor of his province; but the commons refuſed to receive his petition. The miniſtry having carried the preceding bill, prepared another, without which, it was ſaid, the ſcheme would be entirely defective.

Lord *North* preſented the third bill "for the impar- April 21. tial adminiſtration of juſtice in the caſes of perſons queſtioned for any acts done by them in the execution of the law, or for the ſuppreſſion of riots and tumults in the *Maſſachuſetts-bay*." This bill provided, that in caſe any perſon was indicted in that province for murder, or any other capital offence, and it ſhould appear to the governor that the fact was committed in the exerciſe or aid of magiſtracy, in ſuppreſſing tumults and riots, and that a fair trial could not be had in the province, he ſhould ſend the perſon ſo indicted, &c. to any other colony, or to Great Britain to be tried. The charge on both ſides was to be paid out of the cuſtoms. The minority oppoſed this bill with great vehemence. They inſiſted that having no ſort of reaſon for impeaching the tribunals of America, the real intention was to ſet up

a military government, and to provide a virtual indemnity for all the murders and capital outrages which might be committed by the barbarous hands of authority. From the impoſſibility of proſecuting in Great Britain, they ſtrenuouſly maintained that this was holding out encouragement for all kinds of lawleſs violence. Colonel *Barre*'s ſpeech upon the occaſion commanded the attention of the whole houſe, and cloſed admirably, with "You have changed your ground. You are becoming the aggreſſors, and offering the laſt of human outrages to the people of America, by ſubjecting them in effect, to military execution. Inſtead of ſending them the olive branch, you have ſent the naked ſword. By the olive branch, I mean a repeal of all the late laws, fruitleſs to you and oppreſſive to them. Aſk their aid in a conſtitutional manner, and they will give it to the utmoſt of their ability. They never yet refuſed it, when properly required. Your journals bear the recorded acknowledgments of the zeal with which they have contributed to the general neceſſities of the ſtate. What madneſs is it that prompts you to attempt obtaining that by force, which you may more certainly procure by requiſition. They may be flattered into any thing, but they are too much like yourſelves to be driven. Have ſome indulgence for your own likeneſs; reſpect their ſturdy Engliſh virtue; retract your odious exertions of authority; and remember that the firſt ſtep toward making them contribute to your wants, is to reconcile them to your government."

The publications of the day quote an old member, rarely in oppoſition, as having cloſed his ſpeech with theſe remarkable words—"I will now take my leave of

the whole plan. You will commence your ruin from this day. I am ſorry to ſay, that not only the houſe has fallen into this error, but the people approve of the meaſure. The people, I am ſorry to ſay it, are miſled. But a ſhort time will prove the evil tendency of this bill. If ever there was a nation running headlong into ruin it is this." It is much queſtioned by many whether the member did not miſtake in ſaying—the people. The ſame natives of America, who petitioned againſt the Boſton port-bill, renewed their endeavours by a petition againſt theſe two bills. It was pointed with an uncommon energy and ſpirit; and ſtrongly indicated the effects that theſe bills would produce in the place where they were intended to operate. It was admitted to lie on the table, and had no other notice taken of it. May 2.

Both bills were oppoſed in the houſe of lords, and the minority entered on each a very ſtrong proteſt. On both however in each houſe, the number of the minority continued all along very low and inadequate. Mr. *Bollan* applied for a hearing in the houſe of lords upon the laſt bill, but was refuſed. He has ſtood up in defence of the rights and liberties of the Maſſachuſetts when no other of the numerous advocates of the colonies, out of parliament, have appeared to check the torrent of the moſt grievous proceedings againſt them, in like manner, by their learning and fortitude.

Upon the firſt of the two bills, the proteſting lords *Richmond*, *Portland*, *Abingdon*, *King*, *Effingham*, *Ponſonby*, *Rockingham*, *Abergavenny*, *Leinſter*, *Craven*, and *Fitzwilliam*, diſſented among other reaſons, " becauſe the definitive legal offence, by which a forfeiture of the charter is incurred, has not been clearly ſtated and fully proved;

neither has notice of this adverſe proceeding been given to the parties affected; neither have they been heard in their own defence—becauſe all the judges are to be nominated, not by the crown, but by the governor; and all, except the judges of the ſuperior court, are to be removable at his pleaſure, and expreſsly without the conſent of that very council, which is to be nominated by the king; the ſheriff is made changeable by the governor and council, as often and for ſuch purpoſes as they ſhall think expedient, whereby the governor and council are intruſted with powers, with which the Britiſh conſtitution has not truſted his majeſty and privy council, and have the means of returning ſuch a jury in each particular cauſe, as may beſt ſuit with the gratification of their paſſions and intereſts, ſo that the lives and properties of the ſubject are put into their hands without control." The proteſting lords took occaſion to mention concerning the Boſton port-act, "that, unexampled on the records of parliament, it had been entered on the journals of the houſe as voted, *nemine diſſentiente*, and had been ſtated in the debate of the day, to have been ſent to the colonies, as paſſed without a diviſion in either houſe, and therefore as conveying the uncontroverted univerſal ſenſe of the nation: and that an unfair advantage had been taken, on the final queſtion for paſſing the penal bill, of the abſence of thoſe lords, who had debated it for ſeveral hours, and ſtrongly diſſented from it on the ſecond reading, the period on which it is moſt uſual to debate the principle of a bill."

On the ſecond bill, the proteſting lords *Richmond*, *Fitzwilliam*, *Ponſonby*, *Rockingham*, *Portland*, *Craven*, *Leinſter*, and *Manchester*, diſſented among other reaſons, "becauſe the bill amounts to a declaration, that the

houſe knows no means of retaining the colonies in due obedience, but by an army rendered independent of the ordinary courſe of law in the place where they are employed; becauſe the bill ſeems to be one of the many experiments toward an introduction of eſſential innovations into the government of the empire." They ſaid "The authority given by this bill to compel the tranſportation from America to Great Britain, of any number of witneſſes at the pleaſure of the parties proſecuting and proſecuted, without any regard to their age, ſex, health, circumſtances, buſineſs or duties, ſeems to us ſo extravagant in its principle, and ſo impracticable in its execution, as to confirm us further in our opinion of the ſpirit which animates the whole ſyſtem of the preſent American regulations."

His majeſty gave his aſſent to both bills. May 20.

The ſeſſion was drawing near to the uſual time of receſs, and the greater number of the members were retired into the country. In this ſituation a bill was brought into the houſe of lords, "For making more effectual proviſion for the government of the province of *Quebec*, in North America." It paſſed through that houſe with little if any obſervation. When it came down to the houſe of commons, it met with a very different reception. The principal objects of the bill were, to aſcertain the limits of the province, which were extended far beyond what were ſettled as ſuch by the king's proclamation of 1763—to form a legiſlative council for all the affairs of the province, except taxation, which council was to be appointed by the crown, and the office to be held during pleaſure, and his majeſty's Canadian Roman Catholic ſubjects were to be entitled

to a place in it—to eſtabliſh the French laws and a trial without jury in civil caſes, and the Engliſh laws, with trial by jury in criminal—and to ſecure to the Roman Catholic clergy, except the regulars, the legal enjoyment of their eſtates, and of their tythes from all who were of their own religion. The minority inſiſted, that the Proteſtant religion by this eſtabliſhment enjoyed at beſt no more than a toleration. "The popiſh clergy," they ſaid, "have a legal parliamentary right to maintenance, the proteſtant clergy are left to the king's diſcretion. Why are not both put at leaſt on an equal footing, and a legal ſupport provided for both?" The minority was uncommonly ſmall; nevertheleſs, the bill produced much greater uneaſineſs and diſcontent out of doors than any of thoſe for puniſhing the old colonies. The preſent policy of it is, among other things, to gain, through the influence of the prieſts, the aſſiſtance of the laity in ſubjugating the other provinces.

June 22. It received the royal aſſent, when his majeſty went to the houſe at the cloſe of the ſeſſion; the buſineſs of which being ended, the miniſtry entertained the moſt ſanguine expectations, that the ſubmiſſion throughout America would be immediate, and that complete obedience and tranquillity would be ſecured. The ſpeech from the throne expreſſed ſimilar ſentiments. The triumphs and mutual congratulations of all who have ſupported the miniſterial plan, within doors and without, are unuſually great. Theſe may be owing, not a little, to the aſſurances that governor *Hutchinſon* has repeatedly given to many, that if the parliament would but act with reſolution, and adopt ſpirited meaſures, a ſpeedy ſubmiſſion would take place without any call for fighting.

By

By the Quebec act, the total revenue of the province is conſigned, in the firſt inſtance, to a warrant from the lord of the treaſury, for the purpoſe of penſioning judges during pleaſure, and the ſupport of a civil liſt totally unlimited. The firſt lord of the treaſury, without control of parliament, is therefore in actual poſſeſſion of the revenues of one American province, under the authority of an act of parliament, with no other obligation expreſſed, than in general to defray the expences of the adminiſtration of juſtice, and to ſupport civil government. The reſidue, as in the tea-act, is to be reſerved for the diſpoſal of parliament. The government of Quebec is, in truth, a legal parliamentary deſpotiſm committed into the hands of the crown and its miniſter; for the crown of Great Britain is conſtituted as abſolute in the province, under an act of parliament, as any deſpot that ever exiſted in the world. Hence is inferred what miniſters would do through all America, did they poſſeſs the power *.

Your preſent governor, general *Gage*, has been appointed as the moſt proper perſon to ſee to the execution of the laws, which have been paſſed reſpecting both the colony and its capital: when he has ſettled matters, and eſtabliſhed order and due ſubmiſſion to the power of parliament, Mr. Hutchinſon is to return and reſume the chair. The laſt ſince his arrival, has been graciouſly received: his influence with miniſtry will continue, till events convince them that they have been greatly miſtaken in relying upon his judgment on American ſubjects. A commiſſion during pleaſure has paſſed the great ſeal, granting to general Gage full power and au-

* Mr. Hartley.

thority, where he ſhall ſee cauſe, to pardon and remit all treaſons, murders, felonies, crimes and miſdemeanors whatſoever, and all fines or penalties whatſoever incurred in the *Maſſachuſetts*.

LETTER IX.

Roxbury, Sept. 28, 1774.

THE appointment of general *Gage* to the government was not thought of by Mr. *Hutchinſon*. He expected to have been intruſted with the execution of the miniſterial plan; and was rather diſconcerted when he found it to be otherwiſe. Before he left the colony, he was preſented with a few addreſſes; one by a number of gentlemen, conceived in very reſpectful terms, but againſt which many others entered a proteſt. Had he applied himſelf vigorouſly and ſteadily, to the healing of the breach between the colonies and the parent ſtate, inſtead of calling upon miniſtry to force ſubmiſſion, he would have been a bleſſing, and had the love of all; but now it will be well, if he does not prove a curſe to both countries, and make himſelf odious to the lateſt poſterity.

May 13. When general Gage landed on the long wharf, it was thought from appearances, that he had apprehenſions of being ill-treated by the inhabitants; but though they were highly incenſed at the port-bill, which they had

juſt

juſt received, they behaved toward him with the greateſt decency. He was complimented by the council, the gentlemen in the commiſſion of the peace, and others; and afterward ſumptuouſly entertained.

The next day there was a numerous town-meeting to conſider the port-bill; when they reſolved, "That it is the opinion of this town, that if the other colonies come into a joint reſolution, to ſtop all importation from and exportation to Great Britain, and every part of the Weſt Indies, till the act be repealed, the ſame will prove the ſalvation of North America and her liberties; and that the impolicy, injuſtice, inhumanity, and cruelty of the act, exceed all our powers of expreſſion: We therefore leave it to the juſt cenſure of others, and appeal to God and the world." Copies of the act arrived in different parts; were multiplied with incredible expedition: and circulated through the colonies, by which the whole country was inflamed. In ſome places they were printed upon mourning paper with a black border, and cried about the ſtreets under the title of *a barbarous, cruel, bloody and inhuman murder*: in others, great bodies of the people were called together by advertiſement, and the obnoxious law burned with great ſolemnity, ſimilar to what was done in the time of the ſtamp-act.

When the Boſton port-bill arrived at New York, captains Sears and M'Dougall wrote to the committee at Boſton, aſſuring them of the ſupport of the New Yorkers. The letter was publiſhed without their names. The Yorkers would have fixed a cenſure upon them, but could get no proof of their being the writers. Captains Sears and M'Dougall called the people together by a publication. They collected, and after a violent

oppoſition

oppoſition from the tories, who had brought their whole ſtrength upon the occaſion, a vote was obtained for appointing a committee on account of the port-bill, which was to conſiſt of fifty-one. The tories fearing the worſt, had provided a liſt; but all liſts were taken off the table at Mr. Sears's motion, when nominations took place, and the number of whigs and tories was nearly equal. Mr. Sears got another added, which made the committee fifty-two. The whigs in it inſiſted, that there muſt be a congreſs. The violence of captain Sears's temper, and his influence over the populace, induced the tories to fall in with the propoſal of one, rather than be expoſed to the dangers of a mob; but they expected that they ſhould prevent it. A letter was ſent to the Boſton committee, with a recommendation to them to appoint time and place. They approved of a congreſs, but declined making the appointments. The York committee conſidered the anſwer; and it was carried, to write to them afreſh upon the ſubject. The tories were caught, for having agreed to the motion for a congreſs, they could not hinder it, by all their contrivances. You muſt admit of my uſing for brevity ſake, the terms *whig* and *tory* for the *pro*'s and *con*'s on the ſubject of full redreſs to American grievances. When better can be met with, they ſhall be adopted: but they are univerſally applied in this manner by the liberty party.

The Boſton committee of correſpondence were ſenſible, that the utmoſt delicacy and precaution, in the uſe of words and expreſſions, were requiſite in the preſent ſtate of affairs; that ſo their enemies might not diſappoint them of that ſupport, for which they were to make a general application to all the coloniſts, and whom they

they addreſſed on the head of the port-bill, and the diſtreſſes coming upon the inhabitants, with the utmoſt reſpect: they were careful to inſert in all their letters, "It is hoped that Boſton will be conſidered *as ſuffering in the common cauſe.*"

While theſe letters were circulating, the period arrived for the meeting of a new general court, which aſſembled at Boſton; when the ſervices of the election-day were carried on as uſual; but the hearts of many felt ſad with the apprehenſion that it would be the laſt of the kind. Their forebodings were increaſed, by the number and characters of the elected counſellors whom governor Gage negatived, not leſs than thirteen. He laid nothing before the court more than the common buſineſs of the province; but gave them notice of their removal to Salem on the firſt of June in purſuance of the act. Learning that the houſe of aſſembly, to evade removing were haſtening through the neceſſary buſineſs, with the greateſt expedition, he adjourned the general court to the ſeventh of June, then to meet at *Salem*. Before that day, the inhabitants of ſeveral towns and cities, in different parts of the continent, concurred in expreſſing the greateſt diſapprobation of the meaſures purſued againſt Boſton, an abhorrence of the new act, and a condemnation of the principles on which it was founded, with a reſolution to oppoſe its effects in every manner, and to ſupport their diſtreſſed brethren, who were to be the immediate victims. At *Philadelphia* a ſubſcription was ſet on foot for the ſupport of ſuch poor inhabitants of Boſton as ſhould be deprived of the means of ſubſiſtence by the operation of the act. The *Virginia* houſe of burgeſſes appointed the firſt of June to

May 25.

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be ſet apart as a day of faſting and humiliation, devoutly to implore the divine interpoſition, for averting the heavy calamity which threatened deſtruction to their civil rights, and the evils of a civil war; and for giving one heart and one mind to the people, firmly to oppoſe every injury to the American rights. This occaſioned their diſſolution, but before they ſeparated, eighty-nine of the members entered into an aſſociation, in which they declared, "That an attack made on one of our ſiſter colonies, to compel ſubmiſſion to arbitrary taxes, is an attack made on all Britiſh America, and threatens ruin to the rights of all, unleſs the united wiſdom of the whole be applied." They recommended to the committee of correſpondence, to communicate with the ſeveral committees of the other provinces, on the expediency of appointing deputies, from the different colonies, to meet annually in general congreſs, to deliberate on thoſe meaſures, which the united intereſts of America might from time to time require.

June 1. Buſineſs was finiſhed at the cuſtom-houſe in Boſton at twelve o'clock at noon, and the harbour ſhut up againſt all veſſels bound thither; and after the fourteenth none were to be allowed to depart. The day was devoutly kept at Williamſburgh in Virginia, as a day of faſting and humiliation. There was a ſolemn pauſe in the buſineſs of Philadelphia. If we except the Quakers, near nine-tenths of the citizens ſhut up their houſes; and the bells were rung muffled all the day. It was obſerved in other places as a day of mourning.

7. The Maſſachuſetts general court met at Salem according to adjournment, and a committee was appointed to conſider and report the ſtate of the province. Mr.

Samuel

Samuel Adams obſerved, that ſome of the committee were for mild meaſures, which he judged no ways ſuited to the preſent emergency. He conferred with Mr. *Warren* of Plymouth upon the neceſſity of giving into ſpirited meaſures, and then ſaid, "Do you keep the committee in play, and I will go and make a *caucus* * againſt the evening; and do you meet me." Mr. S. Adams ſecured a meeting of about five principal members of the houſe, at the time ſpecified; and repeated his endeavours againſt the next night; and ſo as to the third, when they were more than thirty: the friends of adminiſtration knew nothing of the matter. The popular leaders took the ſenſe of the members in a private way, and found that they ſhould be able to carry their ſcheme by a ſufficient majority. They had their whole plan completed, prepared their reſolves, and then determined

* The word *caucus*, and its derivative caucuſing, are often uſed in Boſton. The laſt anſwers much to what we ſtile parliamenteering or electioneering. All my repeated applications to different gentlemen have not furniſhed me with a ſatisfactory account of the origin of *caucus*. It ſeems to mean, a number of perſons, whether more or leſs, met together to conſult upon adopting and proſecuting ſome ſcheme of policy, for carrying a favorite point. The word is not of novel invention. More than fifty years ago, Mr. Samuel Adams's father, and twenty others, one or two from the north end of the town, where all the ſhip buſineſs is carried on, uſed to meet, make a caucus, and lay their plan for introducing certain perſons into places of truſt and power. When they had ſettled it, they ſeparated, and uſed each their particular influence within his own circle. He and his friends would furniſh themſelves with ballots, including the names of the parties fixed upon, which they diſtributed on the days of election. By acting in concert, together with a careful and extenſive diſtribution of ballots, they generally carried the elections to their own mind. In like manner it was, that Mr. Samuel Adams firſt became a repreſentative for Boſton.

upon

17. upon bringing the buſineſs forward. But before they went upon it, the door-keeper was ordered to let no one whatſoever in, and no one was to go out: however when the buſineſs opened, a miniſterial member pleaded a call of nature, which is always regarded, and was allowed to go out. He then ran to give information of what was doing, and a meſſenger was diſpatched to general *Gage*, who lived at ſome diſtance. The ſecretary was ſent off to diſſolve the general court; found the door faſtened; knocked for entrance, but was anſwered, that the houſe was upon very important buſineſs, which when they had finiſhed, they would let him in. As he could obtain no entrance, he read the proclamation upon the ſteps leading to the repreſentatives' chamber, in the hearing of ſeveral members and others on the outſide with him, and immediately after in the council, thus diſſolving the general court. The houſe, while ſitting with their doors ſhut, appointed *Thomas Cuſhing*, *Samuel Adams*, *Robert Treat Pain*, *James Bowdoin*, and *John Adams*, eſqrs. as their committee to meet other committees, that might be convened the firſt of September at *Philadelphia*, voted them five hundred pounds lawful (ſeventy-five pounds ſterling each) and choſe a treaſurer. They recommended alſo to the ſeveral towns and diſtricts, the raiſing the ſaid ſum, by equitable proportions, according to the laſt provincial tax—a recommendation which had all the force of a law. It was a triumph to many of the ſons of liberty, to think that the houſe had out-generalled the governor.

Sometime before the diſſolution of the general court, near upon three hundred citizens of *Philadelphia* met and appointed a committee to write to Boſton. Their letter

letter was temperate and firm. They acknowledged the difficulty of offering the inhabitants advice upon the ſad occaſion that exiſted; wiſhed firſt to have the ſenſe of the province in general; and obſerved that all lenient applications for obtaining redreſs ſhould be tried, before recourſe was had to extremities. They remarked that it might perhaps be right to take the ſenſe of a general congreſs, before the deſperate meaſure of putting an entire ſtop to commerce was adopted; and that it might be right at any rate, to reſerve that meaſure as the laſt reſource when all other means had failed. They mentioned, that if the making of reſtitution to the Eaſt India company for their teas would put an end to the unhappy controverſy, and leave the people of Boſton upon their ancient footing of conſtitutional liberty, it could not admit of a moment's doubt what part they ſhould take; but they added, it was not the value of the tea, it was the indefeaſible right of giving and granting their own money, a right from which they could never recede, that was now the matter of conſideration.

The importance and neceſſity of a general congreſs was ſoon felt by every colony, ſo that the meaſure taken by the Maſſachuſetts was gradually adopted by the others.

Maryland, whoſe zeal in the cauſe of liberty was ardent, had a meeting of the committees appointed by the ſeveral counties, at the city of Annapolis, who June elected five deputies for that province, "to attend a 25. general congreſs, at ſuch time and place as may be agreed on; to effect one general plan of conduct, operating on the commercial connection of the colonies with the mother

mother country, for the relief of Boſton and preſervation of American liberty."

This meeting commenced three days before the election of deputies; and conſidering the diſtance of Salem from Annapolis, cannot be aſcribed to the tranſaction of the Maſſachuſetts aſſembly on the ſeventeenth; beſide, it appears from the words *at ſuch time and place as may be agreed on*, that the committees did not know, that the Maſſachuſetts aſſembly had mentioned the convening of a general congreſs on the firſt of September at Philadelphia.

When the opinion of the Boſton town-meeting, reſpecting a joint reſolution of the colonies to ſtop all importation and exportation till the port-bill was repealed, arrived in South Carolina; it was preſented to a number of the principal gentlemen in Charleſtown. The mode propoſed was thought to be of too much conſequence to be adopted without the univerſal conſent of the people. It was therefore determined to requeſt a meeting of the inhabitants. That this might be as general as poſſible, circular letters were ſent by expreſs to every pariſh and diſtrict within the colony.

July 6. A great number from almoſt every part of South Carolina met at Charleſtown. The proceedings of parliament againſt Boſton and the Maſſachuſetts-bay were diſtinctly related to this convention of the people; on which, without one diſſenting voice, they came into various reſolutions. Among others they reſolved, "That five gentlemen be appointed deputies on the behalf of this colony, to meet the deputies of the ſeveral colonies in North America in general congreſs, to conſider the act lately paſſed, and bills depending in parliament, with regard

regard to the port of Boſton and province of Maſſachuſetts, alſo the grievances under which America labors, with full power and authority, in behalf of us and our conſtituents, to concert, and effectually to proſecute, ſuch legal meaſures (by which we for ourſelves and them moſt ſolemnly engage to abide) as in the opinion of the ſaid deputies, and of the deputies ſo to be aſſembled, ſhall be moſt likely to obtain a repeal of the ſaid acts, and a redreſs of theſe grievances."—"That, while the oppreſſive acts relative to Boſton are enforced, we will cheerfully, from time to time, contribute toward the relief of ſuch perſons there, whoſe unfortunate circumſtances may be thought to ſtand in need of moſt aſſiſtance:"—"That a committee of ninety-nine perſons be now appointed, to act as a general committee, to correſpond with the committees of the other colonies, and to do all matters and things neceſſary to carry the reſolutions into execution; and that any twenty-one of them met together, may proceed on buſineſs—their power to continue till the next general meeting."

The appointment of the abovementioned deputies was recogniſed, ratified and confirmed by the houſe of aſſembly, at their next ſeſſion, on the ſecond of Auguſt.

The Connecticut houſe of repreſentatives, in expectation of the event during their receſs, empowered a committee of nine, in caſe a congreſs of commiſſioners from the ſeveral colonies ſhould be convened, to meet and chooſe delegates to ſerve for that colony, and to correſpond with other committees. Mr. *Silas Deane* was of the committee, and being ambitious of going to congreſs, ſchemed their meeting at New London, (inſtead of Hartford) where through the influence of a moſt

13. worthy father-in-law, his own policy, and his *own* vote, he obtained a majority of *one*, and became one of the four Connecticut delegates, though not viewed by thoſe who know him moſt, as a perſon of the greateſt integrity, or the trueſt patriotiſm.

At *Philadelphia*, a petition ſigned by near nine hundred freeholders was preſented to Mr. Penn, the governor, entreating him to call a general aſſembly as ſoon as poſſible. This requeſt being refuſed, the province proceeded to the election of deputies, who ſoon after met at *Philadelphia*. The reſolutions paſſed at this meeting, carry the marks of cool and temperate deliberation, as well as affection to the mother country, more than thoſe of many others; and are at the ſame time equally firm in the determination of ſupporting the colonial rights.

In them the deputies ſet out with the ſtrongeſt profeſſions of duty and allegiance, and expreſs their abhorrence of every idea of an unconſtitutional independence on the parent ſtate, and the moſt ardent wiſhes for a reſtoration of the former harmony. They reprobate in the ſtrongeſt terms the act and bills relative to the *Maſſachuſetts-bay*, and declare that they conſider their brethren at Boſton, as ſuffering in the common cauſe. They inſiſt upon the abſolute neceſſity of a congreſs to conſult together and form a general plan of conduct for all the colonies. They acknowledge, that a ſuſpenſion of the commerce of that large trading province with Great Britain, will greatly diſtreſs multitudes of their induſtrious inhabitants, but pronounce themſelves ready to offer that ſacrifice, and much greater, for the preſervation of their liberties; however, they expreſs their deſire, that congreſs will firſt try the gentle mode of ſtating

their

their grievances, and making a firm and decent claim of redreſs. They conclude with declaring, that that province will break off all commercial intercourſe whatſoever, with any town, city or colony, and individuals in them, who ſhall refuſe, or neglect to adopt and carry into execution, ſuch general plan as ſhall be agreed upon in the congreſs.

They did not undertake to appoint the delegates, but left it to the Pennſylvania aſſembly, who ſoon after 22.
fixed upon ſeven gentlemen.

At a meeting of delegates, from the different counties in *Virginia*, at *Williamſburgh*, beſide the warmeſt profeſſions of allegiance and loyalty, and ſeveral reſolutions in common with the other colonies, they paſſed others, which, conſidering the circumſtances of the colony, with its immediate dependence on the mother country for the diſpoſal of its only ſtaple commodity, muſt be conſidered as very deſerving of attention, becauſe ſtrongly indicating the true ſpirit of that people. They reſolved not to purchaſe any more ſlaves from Africa, the Weſt Indies, or any other place; that their non-importation agreement ſhould take place on the firſt of the following November, and that if the American grievances were not redreſſed by the tenth of Auguſt 1775, they would export after that time, no tobacco, nor any other goods whatever to Great Britain. They recommended the cultivation of ſuch articles of huſbandry, inſtead of tobacco, as might form a proper baſis for manufactures of all ſorts; and particularly, the improvement of the breed of ſheep, the multiplying of them, and the killing as few as poſſible. They choſe as delegates to ge- Aug.
neral 5.

neral congreſs, *Peyton Randolph*, *Richard Henry Lee*, *George Waſhington*, *Patrick Henry*, *Richard Bland*, *Benjamin Harriſon*, and *Edmund Pendleton*, eſqrs.

At Newport in Rhode Iſland, an animating paper was circulated, with the motto JOIN OR DIE. The ſtate of Boſton was repreſented as a ſiege, and as a direct hoſtile invaſion of all the colonies. "The generals of deſpotiſm (it ſays) are now drawing the lines of circumvallation around our bulwarks of liberty, and nothing but unity, reſolution and perſeverance, can ſave ourſelves and poſterity from what is worſe than death—Slavery." The general aſſembly of the colony choſe two deputies to repreſent the colony in a general congreſs; who were
10. legally authorized for that ſervice, under the hand and ſeal of the governor.

All the other colonies, from New Hampſhire to South Carolina incluſively, adopted the meaſure of electing repreſentatives to meet in general congreſs.

To judge aright of the preſent alarming ſtate of affairs, you muſt obſerve, that it does not ariſe from the diſcontent of a turbulent or oppreſſed nobility or gentry, ſo that by bringing over a few of the leaders, the reſt will follow of courſe, or perſiſt only to their ruin: nor does it depend upon the reſolution or perſeverance of a body of merchants and dealers, ſo that every man, habitually ſtudious of his immediate intereſt, will tremble at the thought of thoſe conſequences which may eſſentially affect it: nor will a few lucrative jobs or contracts ſplit the coloniſts into numberleſs factions. On the contrary, the great force of the oppoſition conſiſts in the landholders throughout America. The Britiſh lands in this continent, are, in general, and more eſpecially

cially in the New England colonies, the Jerſies, and in part of New York and Pennſylvania, portioned out in ſuch freeholds as afford that mediocrity of condition to the poſſeſſors, which is ſufficient to raiſe ſtrong bodies and vigorous minds; but ſeldom that ſuperabundance which proves ſo fatal to both, in old and refined countries. The American freeholders, from many circumſtances, are more enthuſiaſtic lovers of liberty, than ever were the Engliſh yeomanry. The body of them are too bold to be deſpiſed without danger, and now that they are united too numerous to be bribed. Human nature being the ſame in every quarter of the globe, had moderation inſtead of compulſion been employed, ſeveral who are at preſent zealous leaders, might have been ſecured, and miniſtry (in colonies of ſuch different manners intereſts and principles, and on theſe accounts ſtrongly inclined to variance with each other) might have carried many points which they will now find it difficult or impoſſible to do, ſince they have united them, by evidencing a deſign of ſubjugating each to a mode of government, to which all without exception are averſe in the higheſt degree.

The Boſton committee of correſpondence received the moſt encouraging anſwers to their letters; and were aſſured that the town of Boſton was conſidered *as ſuffering in the common cauſe*. They had more than the ſtrongeſt expreſſions to conſole them, they had the ſubſtantial evidence of facts. Miniſtry promiſed themſelves mighty advantages from making *Salem* the ſeat of government, with the privilege of an open port, while the neighbouring one, in itſelf of much greater conſequence, was ſhut. But the merchants and freeholders of the town

diſcovered a moſt noble ſpirit, which will prove a ſore diſappointment to them. If it was expected, that incurable envy, jealouſy and animoſity, would be excited between the two towns, and that the refractory capital being abandoned and left alone to ruminate upon her forlorn ſituation, would ſoon be reclaimed and brought to a full ſenſe of her duty; the very reverſe will mortify.

June 18. The day after the diſſolution of the general court, the merchants and freeholders of *Salem* preſented an addreſs to the governor, and in it expreſſed the moſt generous ſentiments. They ſaid, "We are moſt deeply afflicted with a ſenſe of our public calamities; but the miſeries that are now rapidly haſtening on our brethren in the capital of this province, greatly excite our commiſeration, and we hope your excellency will uſe your endeavours to prevent a further accumulation of evils, on that already ſorely diſtreſſed people."—"By ſhutting up the port of Boſton, ſome imagine that the courſe of trade might be turned hither and to our benefit; but nature in the formation of our harbour, forbids our becoming rivals in commerce with that convenient mart. And were it otherwiſe, we muſt be dead to every idea of juſtice, and loſt to all feelings of humanity, could we indulge one thought to ſeize on wealth, and raiſe our fortunes on the ruin of our ſuffering neighbours." The governor was treated with the higheſt reſpect, and mention was made of their hoping much, from his general character, as well as from his wiſdom and mildneſs in another command. They expreſſed the ſtrongeſt attachment to the mother country, the deepeſt concern for the preſent unhappy troubles, and the moſt fervent wiſhes for a ſpeedy and happy reconciliation, to obtain

which

which they were willing to ſacrifice every thing compatible with the ſafety and dignity of Britiſh ſubjects.

Marblehead, a ſea-port, about three miles from Salem, and equally far with the laſt from Boſton, but a town of no great trade, being engaged chiefly in the cod-fiſhery, teſtified its regard and compaſſion for the capital, by letting the ſuffering merchants have the free uſe of its wharfs and ſtores. Its inhabitants offered alſo to attend the lading and unlading of their goods, and to tranſact for them all the buſineſs to be done at their port, without putting them to the ſmalleſt expence.

The pity and reſentment of the country at large, were excited by obſervations publiſhed on the Boſton port-bill. Thoſe of Mr. *Joſiah Quincy*, jun. were moſt generally read and admired. He obſerved—"The Boſton port-bill condemns a whole town unheard, nay, uncited to anſwer; involves thouſands in ruin and miſery, without ſuggeſtion of any crime by them committed; and is ſo conſtituted, that enormous pains and penalties muſt enſue, notwithſtanding the moſt perfect obedience to its injunctions. The deſtruction of the tea which took place without any illegal procedure of the town, is the only alleged ground of conſigning thouſands of its inhabitants to ruin, miſery and deſpair. Thoſe charged with the moſt aggravated crimes, are not puniſhable, till arraigned before diſintereſted judges; heard in their own defence, and found guilty of the charge. But here a whole people are accuſed; proſecuted by they know not whom; tried they know not when; proved guilty they know not how; and ſentenced to ſuffer inevitable ruin. Their hard fate cannot be averted by the moſt ſervile ſubmiſſion, the moſt implicit obedience to

this ſtatute. Their firſt intimation of it was on the tenth of May, and it took place the firſt of June, thence to continue in full force, till it ſhall ſufficiently appear to his majeſty, that full ſatisfaction hath been made by or in behalf of the inhabitants of Boſton, to the Eaſt India company, for the damage ſuſtained by the deſtruction of their tea; and until it ſhall be certified to his majeſty, by the governor or lieutenant governor of the province, that reaſonable ſatisfaction has been made to the officers of the revenue and others, for the riots and inſurrection mentioned in it. So ſhort a ſpace is given for ſtaying the torrent of threatened evils, that the ſubject though exerting his utmoſt energy, muſt be overwhelmed, and driven to madneſs by terms of deliverance which deny relief till his ruin is inevitable."

Others ſaid, "Had puniſhment been only threatened, had it been in our own option, whether we would ſubmit or ſuffer, the reaſon for complaint would have been leſs. But without previous warning in the propoſal of any terms that might have prevented the coming of evil upon us, it is inflicted with ineffable vengeance; ſo that ſhould we ſervilely ſubmit to all required, we muſt notwithſtanding ſuffer almoſt total ruin. The conditions upon which alone our ſufferings are to be removed, far from being fixed with preciſion, are ſo looſe and indeterminate, that a governor may perpetuate them during his political exiſtence, the king in council not being enabled to open the port without his certificate. The wharfs and landing places in Boſton, which are the property of numerous individuals, are as to the uſe of them wherein only their value conſiſts, wreſted out of their hands, and put into the king's, to be diſpoſed of at his plea-

pleaſure. Two wharfs indeed are to be opened again, when his majeſty ſhall think proper; but the reſidue are for ever interdicted the exerciſe of commerce."

The rough drafts of the bills "for the better regulating of the government of the *Maſſachuſetts-bay*;" and "for the impartial adminiſtration of juſtice in it," as well as of that "for quartering the troops in America," upon their arrival at Boſton, were inſtantly circulated through the continent, and filled up whatever was before wanting, of violence and indignation in moſt of the colonies. Even thoſe who were moderate or ſeemed wavering, now became reſolute and reſentful. Nothing was to be heard of, but meetings and reſolutions. Liberal contributions for the relief of the diſtreſſed Boſtonians were every where recommended, and ſoon practiſed. Numberleſs letters were written from diſtricts, towns and provinces, to the people of Boſton, in which, beſides every expreſſion of ſympathy and tenderneſs, they were commended for their paſt conduct, and ſtrongly exhorted to a perſeverance in that virtue, which had brought on their ſufferings. It was in vain, that the friends of government attended a town meeting, and attempted to paſs reſolutions for the payment of the tea, and for diſſolving the committee of correſpondence; they found themſelves loſt in a prodigious majority, and had no other reſource than drawing up a proteſt againſt the proceedings of that body. The Boſton committee of correſpondence apprehended themſelves ſo fixed in the good opinion of the public, that they ventured to frame and publiſh an agreement, entitled, *A ſolemn league and covenant*.

General

June 29. General *Gage* was ſo alarmed at the idea of *a ſolemn league and covenant*, that he iſſued a ſtrong proclamation againſt it, ſtiling it an unlawful, hoſtile, and traiterous combination. He charged all magiſtrates to apprehend and ſecure for trial, ſuch as ſhould have any ſhare in aiding or abetting the foregoing or any ſimilar covenant. The charge was needleſs; for the engagement was ſo unguardedly expreſſed, and ſo extremely inſnaring, that it was ſeverely cenſured by many of the beſt and warmeſt ſons of liberty, in and about Boſton, who refuſed to give it ſupport; ſo that, however it might be venerated out of the colony, it ſunk into obſcurity at home; and changed its form into one that was leſs exceptionable, and yet equally well calculated to ſtop the trade with Great Britain, and that accorded with thoſe entered into about the ſame time, in various parts of the continent, without any previous concert with each other, any more than with Boſton. The coincidence of ſentiments and meaſures, given into by individuals, and aſſemblies larger and ſmaller, in the ſeveral and moſt diſtant colonies, without any previous contrivance, has been ſo remarkable, that perſons, the furtheſt removed from ſuperſtition, have inclined to aſcribe it to a ſpecial providence of God. They have been ſeemingly actuated by one and the ſame ſpirit, nearly at the ſame inſtant. When letters have been diſpatched from Boſton to fellow-patriots afar, aſking or giving advice; letters from theſe have been upon the road, giving or aſking the very advice which was wanted—the like in other matters. Not that there is a uniformity in all points through the continent. The people may be divided into two great claſſes. One is for ruſhing headlong into the greateſt

greateſt extremities, without waiting till other meaſures are tried, or receiving the general ſenſe of the colonies; and though eager for holding a congreſs, would leave it nothing to do, but to proſecute the violences which they have began. The other is averſe to violent meaſures, till all other means are ineffectually tried. They wiſh further applications to be made to Britain, and the grievances they complain of, with the rights which they claim, to be clearly ſtated and properly preſented. This, they ſay, can be effectually done only by a general congreſs. There is a third party, who are friends to the Britiſh adminiſtration, or rather who do not totally diſapprove of its meaſures; but their voice is ſo low, that except in a few particular places, it can ſcarcely be diſtinguiſhed. The friends to colonial rights have a great advantage over them, not only from the goodneſs of their cauſe, but their poſſeſſing moſt of the preſſes on the continent. Theſe are chiefly in the hands of the whigs, and news-papers publiſhing eſſays and other compoſitions, againſt the prevailing opinions of the people, have not a univerſal ſpread, and cannot prove ſo profitable to the proprietors, as thoſe on the other ſide of the queſtion. The command, which the ſons of liberty have of the preſs, gives them the ſuperiority in point of influence, over their antagoniſts in the periodical publications of the day.

As the Boſton port-bill prohibits all water-carriage, beſide ſhutting up the port, the merchants are under the neceſſity of adopting the expenſive mode of bringing their goods from Salem or Marblehead, all the way round, through Cambridge and Roxbury, to Boſton. Had they been allowed to bring them to Charleſtown by land,

land, and thence to croſs them over by water, they would have ſaved a fourth of the way. But it is pleaſing to obſerve what trade is going forward, notwithſtanding the embarraſſments with which it is clogged. Boſton is exhibiting a ſcene of patience, fortitude and perſeverance, which will make them renowned in hiſtory. Though liberal contributions have been made, are raiſing, and will be raiſed, for the ſuccour of ſufferers; yet it may be eaſily conceived, that in a town containing ſeveral thouſand inhabitants, who have ſubſiſted chiefly by commerce, and the various kinds of buſineſs ſubſervient to it, and where the maintenance of many families depends merely upon locality, the cutting off of that grand ſource of their employment and ſubſiſtence, muſt occaſion great diſtreſſes notwithſtanding every relief. Even the rich are not exempt from the general calamity, as a very conſiderable part of their property conſiſts in wharfs, warehouſes, ſtores, and thoſe numerous erections, which are deſtined to the purpoſes of commerce, but are now no longer profitable.

The people at large have been for ſometime preparing to defend their rights with the point of the ſword. They ſee, that they are either to be terrified, or driven into ſubmiſſion, by an armed force; and are for providing againſt both. The countrymen, in returning from Boſton, are daily bringing out guns, knapſacks, &c. Every one appears deſirous of being well accoutred. They have arms in general, the militia law requiring it of all within a certain age. Note—They are fond of ſhooting, are accuſtomed to it from early life, and are ſpecial markſmen. They are perfecting themſelves in their exerciſe. Handling the muſket and training,

ing, are the faſhionable amuſements of the male inhabitants, while the females encourage them to proceed. The ſound of drums and fifes is conſtantly ſaluting your ears. Huſbands and wives, parents and children, brothers and ſiſters, lovers, the young and the old, ſeem poſſeſſed of, or rather to be poſſeſſed by a martial ſpirit, and are fired with an enthuſiaſtic zeal for liberty. In moſt places, but particularly in *Berkſhire* and *Worceſter* counties, where the influence of government was ſuppoſed to prevail moſt, nothing is to be ſeen or heard of, except the purchaſing of arms and ammunition, the caſting of balls, and the making of all thoſe preparations, which teſtify the moſt immediate danger, and determined reſiſtance.

The high military tone of the country people, is to be placed chiefly to the account of the two bills "for regulating the government of the Maſſachuſetts," and "the impartial adminiſtration of juſtice in it." Theſe bills have propoſed ſo thorough a change in the civil and religious liberties of towns and individuals, that they view themſelves as intentionally deprived of every privilege, and reduced to the neceſſity of fighting for all they hold dear to them. It is of the utmoſt conſequence that juries ſhould not be packed. The accuſtomed mode of electing them is excellent, but liable to abuſe, and there "may have been inſtances wherein perſons who have no regard to religion and to divine revelation, have been really picked up to ſerve a turn *." But this will not juſtify that moſt execrable alteration of leaving it in the power of the governor and council, through the aid of the ſheriff, to obtain ſuch a jury in

* The Rev. Mr. Whitney's Diſcourſe.

each

each cauſe, as may beſt ſuit their paſſions and intereſts, whereby the lives and properties of the ſubject are put into their hands without control *.

It is alſo to be enacted, by the regulating bill, that after the firſt of Auguſt 1774, there ſhall be no town-meetings, without the leave of the governor or lieutenant governor in writing, expreſſing the ſpecial buſineſs of ſuch meetings, firſt obtained, except the annual meetings in March for the choice of ſelectmen, conſtables and other officers; and in May for the election of repreſentatives, and meetings to fill up the offices aforeſaid on death or removal; and that no other matter ſhall be treated of at ſuch meetings, except the election of aforeſaid officers or repreſentatives, nor at any other meeting except the buſineſs expreſſed in the leave given. A more obnoxious alteration could ſcarce have been invented.

Every town is an incorporated republic. The ſelectmen by their own authority, or upon the application of a certain number of townſmen, iſſue a warrant for the calling of a town-meeting. The warrant mentions the buſineſs to be engaged in, and no other can be legally executed. The inhabitants are warned to attend; and they that are preſent, though not a quarter or tenth of the whole, have a right to proceed. They chooſe a preſident by the name of Moderator, who regulates the proceedings of the meeting. Each individual has an equal liberty of delivering his opinion, and is not liable to be ſilenced or browbeaten by a richer or greater townſman than himſelf. Every freeman or freeholder, as the

* The lords proteſt againſt the act for the better regulating of the government.

buſineſs regards either the freeholders in particular or the freemen at large, gives his vote or not, and for or againſt as he pleaſes; and each vote weighs equally, whether that of the higheſt or loweſt inhabitant. At theſe town-meetings the people are uſed to debate and conclude upon inſtructions to their repreſentatives reſpecting matters before, or likely to come before the general court—freely to expreſs their ſentiments regarding public tranſactions—to agree upon the choice of a miniſter, and the ſalary they ſhall give him; upon building or repairing the meeting houſe, and upon a variety of other intereſting matters, which concern the exerciſe of their civil or ſacred privileges. All the New England towns are upon the ſame plan in general, though different in certain particulars. In the colony of Rhode Iſland, they have no miniſter paid by the town as a town, nor is it allowed by the government; the ſalary is not a town charge, but is made up out of the voluntary contributions of the denomination to which he is joined.

From the free exerciſe of all the above cited rights, the Maſſachuſetts inhabitants are to be ſuſpended by the aforeſaid enacting clauſe. When they wiſh, or have occaſion to hold meetings for any of the above purpoſes, they will be obliged to apply to the governor, who may put a negative upon every application, and who will have it in his power to prevent their ſettling a miniſter, when the pulpit is become vacant, till he can be well aſſured that the perſon on whom the choice will fall, either does or will incline to ſupport governmental meaſures.

The bill for the impartial adminiſtration of juſtice, the people conſider as threatening them with military execu-

execution, if they comply not with that for the better regulating of the government. The Engliſh blood which they have derived from their forefathers, without corrupting it by foreign mixtures, for they have been too national to encourage, like ſome colonies, the ſettlement of foreigners among them—that blood boils in their veins at theſe two bills, and fires them to a military oppoſition. The inhabitants of Connecticut mean not to be idle ſpectators of the fate of their ſiſter colony, which can only be a prelude to their own, and are therefore giving into equal exertions for ſtemming the approaching torrent.

Soon after general *Gage*'s arrival, two regiments of foot, with a ſmall detachment of the artillery and ſome cannon, were landed at Boſton, and encamped on the common. Theſe troops were by degrees re-inforced by the arrival of ſeveral regiments from Ireland, New York, Halifax, and at length from Quebec. The arrival and ſtation of theſe troops, was far from being agreeable to the inhabitants; nor was the jealouſy in any degree leſs, in the minds of their neighbours of the ſurrounding counties. The diſſatisfaction was increaſed by placing a guard upon Boſton neck, the narrow iſthmus which joins the peninſula to the continent; for which meaſure the frequent deſertion of the ſoldiers was the aſſigned reaſon. Individuals have encouraged ſuch deſertion; and the Boſton committee have not failed to contribute to the temptation, by making the ſituation of the ſoldiery, as diſagreeable as they could, and by counteracting all endeavours to render it comfortable. They act ſyſtematically for the prevention of all ſupplies for the Britiſh troops. Through their connection with the neighbouring

ing committees, the farmers and others are prevented selling them their ſtraw, timber, ſlit-work, boards, in ſhort every article excepting proviſions neceſſary for their ſubſiſtence. The ſtraw which is purchaſed for their ſervice is daily burnt. Veſſels with brick, intended for the army, are ſunk; and carts with wood are overturned. Thus, by ſome contrivance or other, purchaſes are either prevented, or when made, the king's property is deſtroyed in every manner in which it can be effected. While theſe things are doing, a trifling circumſtance gives the inhabitants of Boſton a full earneſt of the ſupport they may expect from the country in caſe of extremity, and an opportunity of knowing the general temper of the people. A report ſpreads, that a regiment poſted on the neck, has cut off all communication with the country, in order to ſtarve the town into a compliance with any meaſures which may be propoſed to it. Upon this vague report, a large body of the inhabitants of Worceſter county aſſemble, and diſpatch two meſſengers expreſs to Boſton, to diſcover the truth of the information. Theſe envoys acquaint the townſmen, that if the report had been true, there were ſeveral thouſand armed men ready to have marched to their aſſiſtance. They tell them further, that they are commiſſioned to acquaint them, that even though they ſhould be diſpoſed to a ſurrender of their liberties, the people of the country will not think themſelves at all included in their act; that by the late act and the bills pending in the Britiſh parliament, when the laſt intelligence was received, their charter was utterly vacated; and that the compact between Britain and the colonies being thus diſſolved, they

are at full liberty to combine together, in what manner and form they think beſt, for mutual ſecurity.

Aug. 4. The governor, by a proclamation for the encouragement of piety and virtue, the prevention and puniſhment of vice, profaneneſs and immorality, has exaſperated the minds of the people, owing to the inſertion of *hypocriſy* among the immoralities. They have been ſcoffed at and reproached by enemies, and thoſe of looſer manners, for a phariſaical attention to outward forms and the appearances of religion; and therefore view this inſertion as an intended inſult. With the new acts, the governor received a liſt of 36 new counſellors, who agreeable to the new regulations, have been appointed by the crown, contrary to the method preſcribed by the charter. About twenty-four of the gentlemen have accepted, ſo that there is a ſufficient number to attempt carrying on the buſineſs of government. But the courts of judicature at Boſton are ſuſpended, for the grand jurors refuſe to take the oaths, and to act under new judges and laws. The petit jurors decline ſerving, on account of *Peter Oliver* eſq; ſtanding impeached by a late honorable houſe of commons of the province, and of the judges of the ſuperior court being made to depend upon the crown. Not only ſo, but the great and petty juries through the colony, unanimouſly refuſe to act in any manner under the new regulations; and the clerks of the court have found it neceſſary to acknowledge their contrition in the public papers, for iſſuing the warrants by which the juries were ſummoned, and not only to declare that they will not act ſo again, but to apologize for what they have done. At Great Barrington

Barrington and ſome other places, the people aſſembled in large bodies; and filled the court-houſe and avenues in ſuch a manner, that neither judge nor officer could obtain entrance; and upon the ſheriff's commanding them to make way for the court, they anſwered, "We know no court, nor any other eſtabliſhment, independent of the ancient laws and uſages of our country, and to none other will we ſubmit, or give way upon any account."

At Salem the merchants, freeholders, and other inhabitants, were by hand-bills ſummoned to meet on Wedneſday the twenty-fourth, to conſider on meaſures for oppoſing the execution of divers late acts of parliament. The day preceding the intended meeting, the governor, who reſides within a few miles of the place, publiſhed a proclamation prohibiting all perſons from attending. The proclamation being diſregarded, a company of ſoldiers were ordered into town to diſperſe the meeting; but before they got to it, the buſineſs was finiſhed, and the inhabitants withdrawn. Three of the gentlemen were apprehended, but gave bonds to appear in court, and ſo were diſcharged. 23.

The proceedings of the people and their manifeſt diſpoſitions have alarmed the general, who has thought it neceſſary for the ſafety of the troops, as well as to ſecure the important poſt of Boſton, to fortify the entrance at the neck, which affords the only communication, except by water, between the town and the continent. His own perſonal ſafety, while at his country reſidence in Danvers, would have been endangered, had not the prudence of Samuel Holten eſq; M. D. a genuine, determined,

termined, but conſiderate ſon of liberty, cooled and moderated the temper of his neighbours.

William Brattle eſq; frequently an elected counſellor under the charter, having given a hint to the governor to ſecure the provincial ammunition, he ſent two companies of ſoldiers acroſs the river long before day break, who poſſeſſed themſelves of the powder in the arſenal at Charleſtown. The news circulated apace, and in the morning the inhabitants of the neighbouring towns, to the amount of ſeveral thouſands, aſſembled at Cambridge, moſtly in arms. They proceeded to the lieutenant governor Oliver's houſe, and to the houſes of ſeveral of the new counſellors, and of others who they thought had ſhown themſelves unfriendly to the province. Some of the counſellors were obliged to reſign, and to declare they would no more act under, what are pronounced the arbitrary laws lately enacted. It was with difficulty that the multitude was reſtrained from marching directly to Boſton, there to demand a delivery of the powder, and in caſe of refuſal to attack the troops. This collection of people, and the confuſion neceſſarily attending their tranſactions, gave riſe to a rumor, that the fleet and troops were firing upon the town of Boſton, which flew with amazing rapidity through New England; and in leſs than 24 hours after, there were between 30 and 40,000 men in arms, ſome of whom marched from 20 to 30 miles toward Boſton before they were undeceived. This report and the ſeizure of the powder, rouſed the inhabitants in the other colonies beyond New England, ſo that they immediately began learning the military exerciſe. The tranſaction at Cambridge produced ſuch

Sept. 1.

other

other riſings in the colony as obliged more of the new council to reſign or to flee to Boſton; whither, by the cloſe of the month, the commiſſioners, the cuſtom-houſe officers, and all who have made themſelves particularly obnoxious, by taking an active and decided part againſt the country, repaired for protection. Thus is the ſeat of government at Salem abandoned, and the apparatus of a cuſtom-houſe removed to a place, which an act of parliament has proſcribed from all trade.

About this time the governor's company of cadets, conſiſting of Boſton gentlemen, diſbanded themſelves, and returned him the ſtandard he preſented to them upon his arrival. This ſlight was owing to his taking away the commiſſion from Mr. Hancock, who was colonel of the corps. But Mr. *John Murray*, a colonel of the militia, having accepted a ſeat in the new council, twenty-four officers of his regiment reſigned their commiſſions in one day. Such is the prevailing ſpirit, that all perſons accepting offices under the new laws, or preparing to act in conformity to them, are declared enemies to their country, and threatened accordingly.

The ſeizing of the powder, and the withholding from the legal proprietors what is lodged in the magazine of Boſton, and the deſign carrying into execution, of repairing and manning the fortification at the entrance of the town, have occaſioned the holding an aſſembly of delegates from the ſeveral towns and diſtricts in the county of Suffolk, of which Boſton is the county town. After a moſt ſpirited preamble, they reſolved among other things, "That no obedience is due from this province to either or any part of the late acts, but that they be rejected as the attempts of a wicked ad-

miniſtration to enſlave America:—That ſo long as the juſtices are appointed or hold their places, by any other tenure than that which the charter and the laws of the province direct, they muſt be conſidered as unconſtitutional officers, and as ſuch no regard ought to be paid to them by the people of this country:—That if the juſtices ſhall ſit and act during their preſent diſqualified ſtate, this county will bear harmleſs all ſheriffs, jurors and other officers, who ſhall refuſe to carry into execution the orders of ſaid courts:—That it be recommended to the collectors of taxes and all other officers, who have public monies in their hands, to retain the ſame and not to make any payment thereof to the provincial county treaſurer, until the civil government of the province is placed upon a conſtitutional foundation, or it ſhall be otherwiſe ordered by the propoſed provincial congreſs:—That the perſons, who have accepted ſeats at the council board, by virtue of a mandamus from the king, have acted in a direct violation of the duty they owe to their country; this county do recommend it to all, who have ſo highly offended, and have not already reſigned, to make public reſignation on or before the 20th of this inſtant September; all, refuſing ſo to do, ſhall after ſaid day, be conſidered by this county as obſtinate and incorrigible enemies to this country:—That the fortifications begun and now carrying on upon Boſton neck, gives us reaſon to apprehend ſome hoſtile intention againſt that town:—That the late act eſtabliſhing the Roman Catholic religion in Quebec, is dangerous in an extreme degree to the Proteſtant religion, and to the civil rights and liberties of all America:—That whereas our enemies have flattered themſelves, that they ſhall

make

make an eaſy prey of this numerous brave people, from an apprehenſion that they are unacquainted with military diſcipline; we therefore, for the honor and ſecurity of this county and province adviſe, that ſuch perſons be elected in each town as officers in the militia, as ſhall be judged of ſufficient capacity, and who have evidenced themſelves the inflexible friends to the rights of the people, and that the inhabitants do uſe their utmoſt diligence to acquaint themſelves with the art of war, and do for that purpoſe appear under arms at leaſt once every week:—That during the preſent hoſtile appearances on the part of Britain, we are determined to act merely upon the defenſive ſo long as ſuch conduct may be vindicated by reaſon and the principles of ſelf-preſervation, but no longer:—That as we underſtand it has been in contemplation to apprehend ſundry perſons of this county, we do recommend, ſhould ſuch meaſure be put in practice, to ſeize and keep every ſervant of the preſent government throughout the province, until the perſons ſo apprehended be reſtored uninjured:—That we recommend to all perſons, not to engage in any routes, riots, or licentious attacks upon the properties of any perſon whatſoever, as being ſubverſive of all order and government; but by a ſteady, manly, uniform, and perſevering oppoſition, to convince our enemies, that in a conteſt ſo important, in a cauſe ſo ſolemn, our conduct ſhall be ſuch as to merit the approbation of the wiſe, and the admiration of the brave and free of every age and of every country." They then drew up an addreſs to the governor, and voted that Dr. *Joſeph Warren* (a phyſician, an amiable gentleman, who wiſhes for a reconciliation between the colonies and the parent ſtate,

upon a redreſs of grievances, and aims not at independency) with others, be a committee to wait on his excellency, to inform him how the county is alarmed, and to remonſtrate againſt the fortifications making on the neck, and the repeated inſults offered by the ſoldiery, to perſons paſſing and repaſſing into Boſton, and to confer with him on thoſe ſubjects. The governor was waited upon to know if he would receive the committee with the addreſs; but deſiring a private copy of it, that when he received them, he might be ready with a prepared anſwer, he was furniſhed with it, and afterward fixed on Monday the 12th for receiving the committee. The doings of the county delegates, and a copy of the addreſs to the governor have been ſent off by expreſs to the general congreſs now met at Philadelphia. On the Monday, when the committee had delivered the addreſs of the county, he anſwered to it, "I have no intention to prevent the free egreſs and regreſs of any perſon to and from the town of Boſton. I ſhall ſuffer none under my command to injure the perſon or property of any of his majeſty's ſubjects; but it is my duty to preſerve the peace, and to prevent ſurpriſe; and no uſe will be made of the cannon, unleſs the hoſtile proceedings of the people ſhall render it neceſſary." The patriots are waiting earneſtly for the opinion of congreſs on the Suffolk reſolves, in hopes that they will be approved of; and if ſo, they will go on with greater reſolution and courage; for they will conſider ſuch approbation as a declaration, that the colony will be ſupported by congreſs, in caſe hoſtilities are neceſſary for the preſervation of its liberties, and is alſo juſtifiable in arming and training the militia.

Mr.

Mr. *Quincy* is upon the point of ſailing for Britain, at the requeſt of ſeveral co-patriots. Be ſo obliging as to pay a proper attention to him: you will be pleaſed at finding him ſo intelligent a gentleman, and may rely upon his information. Shall keep the letter open, that if the ſenſe of congreſs is received time enough, it may be forwarded.

P. S. The ſons of liberty are in high ſpirits. The Suffolk reſolves were before congreſs on Saturday morning, the 17th, and were conſidered; after which it was *reſolved unanimouſly*, "That this aſſembly deeply feels the ſuffering of their countrymen in the *Maſſachuſetts-bay*, under the operation of the late unjuſt, cruel, and oppreſſive acts of the *Britiſh* parliament:—That they moſt thoroughly approve the wiſdom and fortitude with which oppoſition to theſe wicked miniſterial meaſures has hitherto been conducted, and they earneſtly recommend to their brethren, a perſeverance in the ſame firm and temperate conduct as expreſſed in the reſolutions determined upon, at a meeting of the delegates for the county of *Suffolk*, on Tueſday the 6th inſtant, (that was the day of their firſt meeting, but they did not finiſh till the 9th) truſting that the effect of the united efforts of *North America* in their behalf, will carry ſuch conviction to the *Britiſh* nation, of the unwiſe, unjuſt, and ruinous policy of the preſent adminiſtration, as quickly to introduce better men and wiſer meaſures:—"*Reſolved unanimouſly*, That contributions from all the colonies for ſupplying the neceſſities, and alleviating the diſtreſſes of our brethren at *Boſton*, ought to be continued, in ſuch manner, and ſo long as their occaſions may require." Mr. Quincy ſails to-day.

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LETTER X.

Roxbury, Feb. 3, 1775.

THE meaſures purſued by the Britiſh miniſtry, for ſubjecting America to parliamentary authority in all caſes whatever, have united the twelve colonies, from New Hampſhire to South Carolina incluſively, into a compact body. Many on the ſide of government flattered themſelves, that the event would never exiſt. They had no ſmall ground for it, conſidering that ſeveral of the colonies claſh in their particular intereſts; have been frequently quarrelling about boundaries and other matters; differ greatly in manners, cuſtoms, religion and conſtitutions; and have local prejudices, jealouſies and averſions. But they have been preſſed by a common danger, threatening the moſt valuable rights of each individual province, ſo that they have all elected delegates to meet in a general congreſs to conſult in what way to obtain a redreſs of grievances, and ward off the impending ruin. The miniſterial influence in New York has not prevailed as was expected, to keep that colony from joining the others. Great dependence was had upon their monied men; but the cauſe of liberty was too popular, and the numbers that eſpouſed it too many and too independent, either to be bribed or overawed.

Sept. 5. The delegates being arrived at Philadelphia, from all the colonies except North Carolina, they met in general congreſs.

congreſs, and proceeded to the choice of a preſident, when *Peyton Randolph* eſq; was unanimouſly elected, and Mr. *Charles Thomſon* was unanimouſly choſen ſecretary. They reſolved, that "in determining queſtions, each colony ſhall have one vote." Before they engaged in any ſpecial buſineſs, the North Carolina delegates joined them. The number of the whole when together, is fifty-two, beſide the preſident. The firſt important ſervice wherein they engaged, you have had an account of in the preceding poſtſcript. In their ſubſequent reſolutions they declared, "That if the late acts of parliament Oct. 8. ſhall be attempted to be carried into execution by force, in ſuch caſe all *America* ought to ſupport the inhabitants of the *Maſſachuſetts-bay* in their oppoſition:—That if it be found abſolutely neceſſary to remove the people of Boſton into the country, all America ought to contribute toward recompenſing them for the injury they may thereby ſuſtain:—And that every perſon, who ſhall accept, or act under any commiſſion or authority derived from the act of parliament, changing the form of government and violating the charter, ought to be held in deteſtation." They have written a letter to general *Gage*, 10. in which they expreſs the deepeſt concern at his proceeding in a manner that bore ſo hoſtile an appearance, and which even the oppreſſive acts of parliament did not warrant. They repreſent the tendency this conduct muſt have to irritate and force the people, hitherto well-diſpoſed to peaceable meaſures, into hoſtilities, which may prevent the endeavours of congreſs to reſtore a good underſtanding with the parent ſtate, and may involve us in the horrors of a civil war. They expreſs their hope, that the general, to quiet the minds of the people, will

diſcontinue

diſcontinue the fortifications in and about Boſton, prevent any further invaſions of private property, reſtrain the irregularities of the ſoldiers, and give orders that the communication between the town and country may be open, unmoleſted and free.

The general in his anſwer ſaid, "No troops have given leſs cauſe for complaint, and greater care was never taken to prevent it; and ſuch care and attention was never more neceſſary from the inſults and provocations daily given to both officers and ſoldiers. The communication between the town and country has been always free and unmoleſted, and is ſo ſtill." This aſſertion may appear perfectly juſt to a military gentleman; but may be otherwiſe thought of by one in a civil department, who means that the entrance into a town ſhould have neither guards nor ſentinels, either to ſtop or challenge paſſengers, whether by night or by day. The general intimated, that the hoſtile preparations throughout the country, and the menaces of blood and ſlaughter made it his duty to fortify the neck. He concluded with—"I ardently wiſh, that the common enemies to both countries may ſee, to their diſappointment, that theſe diſputes between the mother country and the colonies, have terminated like the quarrels of lovers, and increaſed the affection which they ought to bear to each other."

The congreſs have alſo made a declaration of rights (contained within a number of reſolves) to which, they ſay, the *Engliſh* colonies of North America are entitled by the immutable laws of nature, the principles of the Engliſh conſtitution, and their ſeveral charters or compacts. In the firſt of theſe are life, liberty and property,

ty, a right to the diſpoſal of any of which, without their conſent, they have never ceded to any ſovereign power whatever. They mention, that their anceſtors, at the time of their emigration, were entitled to all the rights, liberties and immunities of free and natural born ſubjects, within the realm of England; and that by ſuch emigration they by no means forfeited, ſurrendered or loſt any of thoſe rights; but that they were, and their deſcendants now are, entitled to the enjoyment of all ſuch of them, as their local and other circumſtances enabled them to exerciſe. They then ſtate, that the foundation of Engliſh liberty, and of all free government, is a right in the people to participate in their legiſlative council; and proceed to ſhow, that as the coloniſts are not, and from various cauſes, cannot be repreſented in the Britiſh parliament, they are entitled to a free and excluſive power of legiſlation in their ſeveral provincial legiſlatures, where their right of repreſentation can alone be preſerved, in all caſes of taxation and internal policy, ſubject only to the negative of their ſovereign, in ſuch manner as had heretofore been uſed.

To qualify the extent of this paragraph, which may ſeem to leave no means of parliamentary interference, for holding the colonies to the mother country, they declare, that, from the neceſſity of the caſe, and a regard to the mutual intereſts of both countries, they cheerfully conſent to the operation of ſuch acts of the Britiſh parliament as are, *bona fide*, reſtrained to the regulation of their external commerce, for the purpoſe of ſecuring the commercial advantages of the whole empire to the mother country, excluding every idea of taxations either inter-

internal or external, for raiſing a revenue on the ſubjects in America without their conſent.

They reſolved, "That the reſpective colonies are entitled to the common law of England, and more eſpecially to the great and eſtimable privilege of being tried by their peers of the vicinage; to the benefit of ſuch of the Engliſh ſtatutes as exiſted in the time of their colonization, and which they have found to be applicable to their ſeveral and other local circumſtances; and to all the immunities and privileges granted and confirmed to them by royal charters, or ſecured by their ſeveral codes of provincial laws:—That they have a right to aſſemble peaceably, conſider of their grievances, and petition the king; and that all proſecutions, prohibitory proclamations, and commitments for the ſame, are illegal:—That the keeping a ſtanding army in theſe colonies, in times of peace, without the conſent of the legiſlature of that colony in which ſuch army is kept, is againſt law:—That it is rendered eſſential to good government, by the Engliſh conſtitution, that the conſtituent branches of the legiſlature be independent of each other; that therefore the exerciſe of legiſlative power, by a council appointed, during pleaſure, by the crown, is unconſtitutional and deſtructive to the freedom of American legiſlation."

They proceeded to claim, in behalf of themſelves and conſtituents, and to inſiſt on the foregoing articles as their indiſputable rights and liberties, which cannot be legally taken from them, altered or abridged by any power whatever, without their own conſent by their repreſentatives in their ſeveral provincial legiſlatures. They then reſolved concerning eleven acts of parliament, or

parts

parts of acts, paſſed in the preſent reign, that "they are infringements and violations of the foregoing rights, and that the repeal of them is eſſentially neceſſary, in order to reſtore harmony between Great Britain and the American colonies." Among theſe is the Quebec bill, which is termed "an act for eſtabliſhing the Roman catholic religion in the province of Quebec, abolifhing the equitable ſyſtem of Engliſh laws, and erecting a tyranny there, to the great danger (from ſo total a diſſimilarity of religion, law and government) of the neighbouring Britiſh colonies, by the aſſiſtance of whoſe blood and treaſure the ſaid country was conquered from France."

After ſpecifying their rights and enumerating their grievances, they mention, that in hopes of being reſtored to that ſtate, in which both countries formerly found happineſs and proſperity, they have for the preſent, only reſolved to purſue the following peaceable meaſures, viz. to enter into a non-importation, non-conſumption, and non-exportation agreement; and to prepare an addreſs to the people of Great Britain, a memorial to the inhabitants of Britiſh America, and a loyal addreſs to his majeſty.

By the aſſociation they have bound themſelves, and intentionally their conſtituents, to a ſtrict obſervance of fourteen articles. They have agreed by the ſecond, That after the firſt of December next, they will wholly diſcontinue the ſlave trade, and will neither hire their veſſels, nor ſell their commodities to thoſe who are concerned in it:—By the third, That from that day, they will not purchaſe or uſe any tea imported on account of the Eaſt India company, or any on which a duty hath

hath been or ſhall be paid; and from and after the firſt of March next, they will not purchaſe or uſe any Eaſt India tea whatever, nor any of thoſe goods, they have agreed not to import, which they ſhall have cauſe to ſuſpect were imported after the firſt of December, except ſuch as come under the directions afterward mentioned:—By the fourth, That the non-exportation agreement ſhall be ſuſpended to the tenth of September 1775, after which, if the acts or parts of acts objected to are not repealed, they will not directly or indirectly export any commodity whatſoever to Great Britain, Ireland or the Weſt Indies, except rice to Europe:—By the fifth, That they will never more have any commercial intercourſe with any Britiſh merchants, who may ſhip goods in violation of and with a view of breaking the aſſociation:—By the eighth, That they will encourage frugality, œconomy and induſtry, promote agriculture arts and manufactures, diſcourage every ſpecies of extravagance and diſſipation, and will wear no other mourning than a piece of crape or ribbon:—By the fourteenth and laſt, That they will have no trade, dealings or intercourſe whatſoever, with any North American colony or province, that ſhall not accede to, or that ſhall hereafter violate the aſſociation; but will hold them as inimical to their country. This aſſociation, which is to continue in force, till the above acts, or parts of acts, wherein they relate to the colonies, are repealed, has been ſigned
24. by all the members of congreſs.

In their addreſs to the people of Great Britain, the congreſs pay the higheſt praiſe to the noble and generous virtues of their and our common anceſtors, but in a way which rather reproaches you with a ſhameful dege-

neracy.

neracy. They tell you not to be ſurpriſed, that they, who are deſcended from the ſame common anceſtors, ſhould refuſe to ſurrender their liberties and the conſtitution you ſo juſtly boaſt of, to men, who found their claims on no principles of reaſon, and who proſecute them with a deſign, that by having *our* lives and property in their power, they may with the greater facility enſlave *you*. They complain of being oppreſſed, abuſed and miſrepreſented, ſo that it is become a duty to themſelves and their poſterity, and to the general welfare of the Britiſh empire, to addreſs you on this very important ſubject. They call upon you yourſelves, to witneſs to their loyalty and attachment to the common intereſt of the whole empire; to their efforts in the laſt war; and to your own acknowledgment of their zeal, and your even reimburſing them large ſums of money, which you confeſſed they had advanced beyond their proportion, and far beyond their abilities. They proceed to ſtate and examine the meaſures and the ſeveral acts of parliament, which they conſider as hoſtile to America; and repreſent the probable conſequences to your country ſhould miniſtry be able to carry the point of taxation, and reduce the colonies to a ſtate of perfect ſlavery. They ingeniouſly endeavour to render theirs a cauſe common to both countries, by ſhowing, that ſuch ſucceſs might in the end, be as fatal to the liberties of Britain as to thoſe of America. "Take care (ſay they) that you do not fall into the pit preparing for us." After denying the ſeveral charges of being ſeditious, impatient of government, and deſirous of independency, which they aſſert to be calumnies; they declare, that if neither the voice of juſtice, the dictates of the law, the prin-

ciples of the conſtitution, nor the ſuggeſtions of humanity, can reſtrain your hands from ſhedding of human blood in ſuch an impious cauſe; they muſt tell you, "That they never will ſubmit to be hewers of wood, or drawers of water for any miniſtry or nation in the world." They afterward make a propoſal, which, if duly attended to, may afford a favorable baſis for negotiation—"Place us in the ſame ſituation that we were in at the cloſe of the laſt war, and our former harmony will be reſtored." The ſame truth was tranſmitted to ſome of the miniſtry by the late reverend Mr. *Whitefield* before his death in 1770 at Newbury-port, in nearly the following words, "Would you have peace and harmony reſtored through the colonies, you muſt attend to the military phraſe, *right about as you were.*" The like ſentiment was confirmed by a ſubſequent letter, from another quarter, after a deſigned conference upon the ſubject with *Thomas Cuſhing* and *Samuel Adams* eſqrs. of Boſton, and *Thomas Lynch* eſq; of South Carolina. The congreſs conclude their addreſs, by expreſſing the utmoſt regret at their being compelled by the over-ruling principles of ſelf-preſervation, to adopt meaſures detrimental to numbers of their fellow ſubjects in Great Britain and Ireland, in the ſuſpenſion of their importations from both theſe kingdoms. They finally reſt their hope of a reſtoration of that harmony, friendſhip and fraternal affection between all the inhabitants of his majeſty's kingdoms and territories, ſo ardently wiſhed for by every true and honeſt American, upon the magnanimity and juſtice of the Britiſh nation, in furniſhing a parliament of ſuch wiſdom, independence and public ſpirit, as may ſave the violated rights of the whole empire, from the

devices

devices of wicked miniſters and evil counſellors, whether in or out of office.

Congreſs, in their memorial to the inhabitants of Britiſh America, inform the colonies, that they have diligently, deliberately and calmly inquired into all the meaſures, which have excited the preſent diſturbances; and that upon the whole they find themſelves reduced to the diſagreeable alternative of being ſilent, or betraying the innocent, or of ſpeaking out and cenſuring thoſe they wiſh to revere. They prefer the courſe dictated by honeſty, and a regard for the welfare of their country. After ſtating and examining the ſeveral laws which have been paſſed, and the meaſures which have been purſued with reſpect to America, ſince the concluſion of the late war to the preſent period, they inquire into the motives for the particular hoſtility againſt the town of Boſton and province of Maſſachuſetts-bay; though the behaviour of the people in other colonies, has been in equal oppoſition to the power aſſumed by parliament; notwithſtanding which no ſtep had been taken againſt any of them by government. This they repreſent as an artful ſyſtematic line of conduct, concealing ſeveral deſigns, adding, "It is expected that the province of the Maſſachuſetts-bay will be irritated into ſome violent action, that may diſpleaſe the reſt of the continent, or that may induce the people of Great Britain to approve the meditated vengeance of an imprudent and exaſperated miniſtry. If the unexampled pacific temper of that province ſhall diſappoint this part of the plan, it is hoped the other colonies will be ſo far intimidated as to deſert their brethren, ſuffering in a common cauſe, and that thus diſunited all may be ſubdued." They proceed to

ſtate the importance of the truſt, which has been repoſed in them, and the manner in which they have diſcharged it; and deeply deplore the neceſſity which preſſed them to an immediate interruption of commerce, and apologize with ſaying, "We are driven by the hands of violence into unexperienced and unexpected public convulſions, and are contending for freedom ſo often contended for by our anceſtors. "The people of England," ſay they, "will ſoon have an opportunity of declaring their ſentiments concerning our cauſe. In their piety, generoſity and good ſenſe, we repoſe high confidence, and cannot upon a review of paſt events be perſuaded, that *they*, the defenders of true religion, and the aſſerters of the rights of mankind, will take part againſt their affectionate proteſtant brethren in the colonies, in favor of our open and their own ſecret enemies, whoſe intrigues for ſeveral years paſt have been wholly exerciſed in ſapping the foundations of civil and religious liberty." Toward the cloſe they have theſe words, "We think ourſelves bound in duty to obſerve to you, that the ſchemes agitated againſt theſe colonies have been ſo conducted, as to render it prudent that you ſhould extend your views to the moſt unhappy events, and be in all reſpects prepared for every contingency."

The addreſs of congreſs to his majeſty is clothed in the habit of an humble petition, wherein they beg leave to lay their grievances before the throne. After an enumeration of them, they implore his clemency for protection againſt them; and impute all their diſtreſſes, dangers and fears, to the deſtructive ſyſtem of colony adminiſtration adopted ſince the concluſion of the laſt war. They expreſs their apprehenſion, that as his majeſty

jeſty enjoys the ſignal diſtinction of reigning over freemen, the language of freemen cannot be diſpleaſing; adding, "Your royal indignation, we hope, will rather fall on thoſe deſigning and dangerous men, who daringly interpoſing themſelves between your royal perſon and your faithful ſubjects, and for ſeveral years paſt inceſſantly employed to diſſolve the bonds of ſociety, by abuſing your majeſty's authority, miſrepreſenting your American ſubjects, and proſecuting the moſt deſperate and irritating projects of oppreſſion, have at length compelled us, by the force of accumulated injuries, too ſevere to be any longer tolerable, to diſturb your majeſty's repoſe by our complaints." They beg leave to aſſure his majeſty, that in regard to defraying the charge of the adminiſtration of juſtice and the ſupport of civil government, ſuch proviſion has been and will be made, as has been and ſhall be judged, by the legiſlatures of the ſeveral colonies, juſt and ſuitable to their reſpective circumſtances; and that for the defence, protection and ſecurity of the colonies, their militias, if properly regulated as they earneſtly deſire may be immediately done, would be fully ſufficient, at leaſt in times of peace; and in caſe of war his faithful coloniſts will be ready and willing, as they ever have been when conſtitutionally required, to demonſtrate their loyalty, by exerting their moſt ſtrenuous efforts in granting ſupplies and raiſing forces. They ſay, "We aſk but for peace, liberty and ſafety. We wiſh not a diminution of the prerogative, nor do we ſolicit the grant of any new right in our favor. Your royal authority over us, and our connection with Great Britain, we ſhall always carefully and zealouſly endeavour to ſupport and maintain."—"We

preſent this petition only to obtain redreſs of grievances and relief from fears and jealouſies, occaſioned by the ſyſtem of ſtatutes and regulations adopted ſince the cloſe of the late war, by the abolition of which ſyſtem, the harmony between Great Britain and theſe colonies, will be immediately reſtored. In the magnanimity and juſtice of your majeſty and parliament we confide for a redreſs of our other grievances, truſting, that when the cauſes of our apprehenſions are removed, our future conduct will prove us not unworthy of the regard, we have been accuſtomed in our happier days to enjoy. For, appealing to that Being who ſearches thoroughly the hearts of his creatures, we ſolemnly profeſs, that our councils have been influenced by no other motive, than a dread of impending deſtruction." They implore his majeſty in the moſt ſolemn manner, as the loving father of his whole people, connected by the ſame bands of law, loyalty, faith and blood, not to ſuffer the tranſcendent relation formed by theſe ties to be further violated, in uncertain expectation of effects, that if attained, never can compenſate for the calamities through which they muſt be gained. They moſt earneſtly beſeech him, that his royal authority and interpoſition may be uſed for their relief; and that a gracious anſwer may be given to their petition. The cloſe is a prayer, that his majeſty may enjoy every felicity through a long and glorious reign, and that his deſcendants may inherit his proſperity and dominions till time ſhall be no more.

The congreſs, a week after reſolving upon the aſſociation, an addreſs to the people of Great Britain, a memorial to the inhabitants of the colonies, and an addreſs to his majeſty, further reſolved, "That an addreſs be

prepared to the people of Quebec, and letters to the colonies of St. John's, Nova Scotia, Georgia, East and West Florida, who have not deputies to repreſent them in this congreſs."

Their addreſs to the French inhabitants in Canada, diſcovers the moſt dexterous management, and the moſt able method of application to the temper and paſſions of the parties, whom they endeavour to gain. They ſtate the right they had, upon becoming Engliſh ſubjects, to the ineſtimable benefits of the Engliſh conſtitution; and that this right was further confirmed by the royal proclamation in 1763, plighting the public faith for their full enjoyment of thoſe advantages. They impute to ſucceeding miniſters an audacious and cruel abuſe of the royal authority, in withholding from them the fruition of the irrevocable rights, to which they were thus juſtly entitled. They undertake to explain to them, ſome of the moſt important branches of that form of government from which they are debarred; and in ſo doing, quote paſſages from their countryman Monteſquieu, whom they artfully adopt as a judge and an irrefragable authority upon this occaſion. They then proceed to ſpecify and explain, under ſeveral diſtinct heads, the principal rights to which the people are entitled by the Engliſh conſtitution; and theſe rights they truly ſay, defend the poor from the rich, the weak from the powerful, the induſtrious from the rapacious, the peaceable from the violent, the tenants from the lords, and all from their ſuperiors.

They attempt pointing out numberleſs deformities in the Quebec-bill, and placing them in thoſe points of view which ſhould render it odious to mankind. They

renew their applications to the paſſions and partiality of the Canadians; and at length introduce Monteſquieu as addreſſing them thus: "Seize the opportunity preſented to you by providence itſelf. You are a ſmall people compared with thoſe who with open arms invite you into a fellowſhip. A moment's reflection ſhould convince you, which will be moſt for your intereſt and happineſs, to have all the reſt of North America your unalterable friends, or your inveterate enemies. Your province is the only link wanting to complete the bright and ſtrong chain of union. Nature has joined your country to theirs. Do you join your political intereſts. The value and extent of the advantages tendered to you are immenſe. Heaven grant you may not diſcover them to be bleſſings after they have bid you an eternal adieu." They endeavour to obviate the jealouſies and prejudices which might ariſe from the difference of their religious principles, by inſtancing the caſe of the Swiſs Cantons, whoſe union is compoſed of Roman Catholic and Proteſtant ſtates, living in the utmoſt concord and peace with one another, and thereby enabled to defy and defeat every tyrant that has invaded them. The congreſs, upon this article, appear to have winked out of ſight their complaint about eſtabliſhing the Roman Catholic religion in Quebec, and to expect that it would be unknown to the Canadians, or give them no umbrage. They declare, that they do not aſk them to commence hoſtilities againſt the government of their common ſovereign, but only invite them to conſult their own glory and welfare, and to unite with them in one ſocial compact. They conclude by informing them, that the congreſs had, with univerſal pleaſure, and an

unanimous

unanimous vote, reſolved, That they ſhould conſider the violation of their rights, by the act for altering the government of their province, as a violation of their own; and That they ſhould be invited to accede to their confederation.

Before this addreſs was perfected and ſigned, congreſs reſolved "That the ſeizing, or attempting to ſeize any perſon in America, in order to tranſport ſuch perſon beyond the ſea, for trial of offences committed in America, being againſt law, will juſtify and ought to meet with reſiſtance and repriſal." They have alſo agreed, that another congreſs ſhall be held on the 10th day of May next, unleſs the redreſs of grievances be obtained before that time. Oct. 21.

The general congreſs, having finiſhed their deliberations, diſſolved themſelves. The impartial world will go near to acknowledge, that the petitions and addreſſes from the congreſs have been executed with uncommon energy, ſkill and ability; and that abſtractedly conſidered, in reſpect to vigor of mind, ſtrength of ſentiment, and patriotic language, they would not diſgrace any aſſembly whatſoever. The ſtudied attention that congreſs have paid to the Maſſachuſetts-bay and its diſtreſſed capital, will both conſole and invigorate the inhabitants. Many however of the congreſſional acts were neither carried unanimouſly, nor without much debate. Mr. Galloway of Pennſylvania, and Mr. Duane of New York, inclined to the ſide of miniſtry. The former became a member at the earneſt ſolicitation of the aſſembly, and refuſed compliance till they had given him inſtructions agreeable to his own mind, as the rule of his conduct. Theſe inſtructions they ſuffered him to 26.

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draw up: they were briefly to ſtate the rights and the grievances of America, and to propoſe a plan of amicable accommodation of the differences between Great Britain and the colonies, and of a perpetual union. September the twenty-eighth a plan was propoſed by him, which was debated a whole day, when the queſtion was carried ſix colonies to five, that it ſhould be reſumed and further conſidered: but it at length fell through. The ten reſolutions which the congreſs came to in their declaration, expreſſing their indubitable rights and liberties, met with very conſiderable oppoſition. Mr. Duane and others who drew with him, perplexed the propoſals made by the high ſons of liberty, ſo that the congreſs did not come to a ſingle reſolution for more than a fortnight, neither in ſtating their rights nor their grievances. When ſix days before that declaration, on October the eighth, the reſolution was paſſed, "that the congreſs approve the oppoſition of the inhabitants of the Maſſachuſetts-bay to the execution of the late acts of parliament, and if the ſame ſhall be attempted, &c. (p. 395.)" Galloway and Duane not only oppoſed, but wanted to have their proteſts entered; which being refuſed, on their return from congreſs they gave each other a certificate, declaring their oppoſition to that queſtion, as they thought it a treaſonable one*. In ſome ſtage of their proceedings, the danger of a rupture with Britain was urged as a plea for certain conceſſions. Upon this Mr. *S. Adams* roſe up, and among other things ſaid in ſubſtance, "I ſhould adviſe perſiſting in our ſtruggle for liberty, though it was revealed from heaven that 999

* Parliamentary Debates relative to general Howe. Mr. Galloway's anſwers.

were

were to periſh, and only one of a thouſand to ſurvive and retain his liberty. One ſuch freeman muſt poſſeſs more virtue, and enjoy more happineſs than a thouſand ſlaves; and let him propagate his like, and tranſmit to them what he hath ſo nobly preſerved." It was a flight of patriotiſm, ſerving to ſhow the temper of the ſpeaker: but the ſentiment is ſo hyperbolical, as to throw it far beyond the reach of practice. Mr. S. Adams having ſeen an happy iſſue to the important deliberations of the general congreſs, after his return repaired to the Maſſachuſetts provincial congreſs to aid in their deliberations.

General Gage, by the advice of his new council, iſſued writs for the holding of a general aſſembly at Salem on the 5th of October. The events which afterward took place made him think it expedient to counteract the writs, by a proclamation for ſuſpending the meeting of the members returned. But the legality of the proclamation was called into queſtion; and the new members, to the number of 90, met according to the precepts, on the day and at the place appointed. Having waited that day, without the preſence of the governor, or any ſubſtitute for him, to adminiſter the oaths and open the ſeſſion; on the next they appointed a committee to conſider the proclamation; and on the third, reſolved themſelves into a provincial congreſs, to be joined by ſuch others as have been or ſhall be choſen, to take into conſideration the dangerous and alarming ſituation of public affairs. The following day they met in provincial congreſs and adjourned to Concord, about 20 miles from Charleſtown, and when there choſe Mr. *Hancock* preſident. They proceeded to appoint a committee to wait upon the governor with a remonſtrance,

Oct. 5.

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in which they apologize for their meeting, from the diſtreſſed ſtate of the colony; expreſs the grievous apprehenſions of the people; aſſert that the rigor of the Boſton port-bill is exceeded by the manner in which it is carried into execution; and complain of the late laws and the hoſtile preparations on Boſton-neck. They conclude with adjuring him, to deſiſt immediately from the conſtruction of the fortreſs at the entrance into Boſton, and to reſtore that paſs to its natural ſtate. The governor was involved in ſome difficulty as to giving them an anſwer, for he could not acknowledge the legality of their aſſembly. Neceſſity however prevailed. He expreſſed great indignation at the idea's being formed, that the lives, liberties, or property of any people, except avowed enemies, could be in danger from Engliſh troops; and obſerved, that notwithſtanding the enmity ſhown to the troops, by withholding from them almoſt every thing neceſſary for their preſervation, they had not yet diſcovered the reſentment which might juſtly have been expected to ariſe from ſuch hoſtile treatment. He reminded them, that while they complained of alterations made in their charter by acts of parliament, they were themſelves by their preſent aſſembling, ſubverting that charter, and now acting in direct violation of their own conſtitution: he therefore warned them of the rocks they were upon, and to deſiſt from ſuch illegal and unconſtitutional proceedings. But they were not in the
Oct. leaſt diverted from proſecuting their meaſures. They
17. adjourned to and met at Cambridge.

21. A committee was appointed to draw up a plan for the immediate defence of the province. It was concluded to raiſe and inliſt a number of *minute-men*, now for

for the firſt time ſo called, from their being to turn out with their arms at a minute's warning. Upon the debate for raiſing money to purchaſe military articles, a thouſand pound (lawful, a fourth leſs than ſterling) was moved for and ſeconded; then two thouſand. The country members in common had no conception of the expences attending warlike operations; and were dreadfully afraid of voting away their own and their conſtituent's money, however neceſſary the expenditure of it. They are generally perſons of good underſtanding in matters within their own ſphere, but are not competent judges of thoſe that lie without it: and being accuſtomed only to ſmall ſums, ſtartle at the mention of thoſe, which to them have the comparative appearance of enormouſly large: and yet it is needful to humor their want of ſcientific knowledge, to prevent diſguſt and obtain their ſupport. Of this the more intelligent members of the aſſembly were ſenſible. Therefore the debate was cloſed by appointing a committee to give in an eſtimate of the articles wanted, together with their coſt; this being done, the committee of ſafety were empowered to aſſemble the militia, when they ſhall judge the ſame neceſſary for the defence of the inhabitants of the province; and the committee of ſupplies to purchaſe ammunition, ordnance, ſtores, &c. not exceeding the value of 20,837 l. lawful, or 15,627 l. 15 s. ſterling —a glorious ſum with which to oppoſe the power and riches of Great Britain! The committee of ſafety, and the committee of ſupplies, conſiſt of different perſons, and are intended for different purpoſes. The firſt, beſide being empowered to aſſemble the militia, are inveſted with other authority for the ſafety of the province,

and

and are to recommend to the committee of ſupplies the purchaſing of ſuch articles as may be deemed neceſſary. The laſt are to aſſiſt the committee of ſafety, not only by purchaſing ſupplies, but by affording them help for executing the meaſures, which may be thought by them requiſite for the public benefit. Both are to ſit and continue to do buſineſs, when there is a receſs of the provincial congreſs, as alſo when none exiſteth. It is
Oct. 25. reſolved, That all matters ſhall be kept private; but in ſuch a numerous aſſembly it is next to impoſſible to effect it. Were all equally true to the ſame cauſe, each will not have the like power of retaining a ſecret.

27. The honorable *Jedediah Pribble*, the honorable *Artemas Ward*, and colonel *Pomeroy*, all of whom have ſeen ſome ſervice in the laſt war, were elected general officers to have the chief command of the minute-men and militia, in caſe they ſhould be called out to action.

29. The provincial congreſs adjourned to November 23.

As winter approached, the governor ordered temporary barracks to be erected for the troops. But ſuch was the diſlike to their being provided for in any manner, that the ſelect men and committees obliged the workmen of the town to quit their employment, for fear of ſubjecting themſelves to the reſentments of their countrymen. The governor had as little ſucceſs in endeavouring to procure carpenters from New York; ſo that it has been with the greateſt difficulty that he has gotten thoſe temporary lodgments erected. He has endeavoured alſo to procure ſome winter covering from that city; but the merchants have refuſed complying with any part of the order, and returned for anſwer, "They never will ſupply any article for the benefit of

mon,

men, who are ſent as enemies to their country." The general had thoughts at one time of erecting a fort upon Beacon hill. The Boſton committee obtained the plan of it, waited upon him, and informed him, that they heard he had ſuch a deſign, and that if he proceeded to execute it he would get himſelf into difficulties. He would not own that he had any ſuch intention, but attempted rather to make them believe the contrary; on which they produced the plan, and told him it was the ſame that was preſented to him the night before.

On the other hand, the Maſſachuſetts committee of ſafety were not inattentive to their duty. They recommended to the committee of ſupplies the procuring of pork, flour, rice and peas, and the depoſiting of the ſame partly at Worceſter and partly at Concord. They further adviſed the procuring of all the arms and ammunition that could be got from the neighbouring provinces; and of ſpades, pickaxes, bill-hooks, iron ſhovels and pots, meſs bowls, cannon, ball, &c. &c. Nov. 2, 8, 14, 20.

Every thing now ſerved to increaſe the mutual apprehenſion and animoſity between the government and the people. Thoſe of Boſton profeſſed to be under no ſmall terror, from an apprehenſion of danger to their property, liberties and lives. The ſoldiers on the other hand, conſidered themſelves in the midſt of enemies. Each ſide made profeſſion of the beſt intentions in the world for its own part, and ſhowed the greateſt ſuſpicion of the other. In this ſtate of doubt and profeſſion, matters were made ſtill worſe by a meaſure, which ſeems not of ſufficient importance in its conſequences to juſtify its having been hazarded at ſo critical a ſeaſon. This was the landing of a detachment of ſailors by night from the

the ſhips of war in the harbour, who ſpiked up all the cannon upon one of the batteries belonging to the town.

In the mean time, through the diſpoſition and promptitude of the people, the reſolutions and recommendations of the provincial congreſs, had all the weight and
Nov. 10. efficacy of laws. At length the governor was induced to iſſue a proclamation, in which they were charged with proceedings, generally underſtood as nearly tantamount to treaſon and rebellion. The inhabitants were accordingly prohibited in the king's name, from complying, in any degree, with the requiſitions, recommendations, directions, or reſolves of that unlawful aſſembly.

23. When the provincial congreſs met again, having Mr. Samuel Adams preſent with them, they puſhed their preparations for hoſtile oppoſition. Theſe exertions ſuited not the feelings of many in congreſs. Through timidity they began to ſicken at heart, and upon the plea of ſickneſs begged leave to return home, and were indulged. Mr. S. Adams penetrated the cauſe of their complaint; and, in order to ſtop the epidemical diſtemper, expreſſed his great willingneſs, that when members were not well, they ſhould be allowed to return, but propoſed that they ſhould be enjoined, upon getting back, to inform the towns that they were no longer repreſented, that ſo others might be ſent to ſupply their abſence. The propoſal ſoon cured the malady; for the diſordered choſe to remain in congreſs rather than incur the diſpleaſure of their conſtituents, and be ſupplanted by new ſucceſſors.

The provincial congreſs reſolved upon getting in readineſs twelve thouſand men to act upon any emergency; and directed that a quarter of the militia ſhould be in-

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liſted as minute-men, who were allowed the liberty of chooſing their own officers, and were to receive pay. They ſent perſons to New Hampſhire, Rhode Iſland and Connecticut, to acquaint them with what was doing, and to requeſt that they would prepare their reſpective quotas to make up an army of twenty thouſand men when wanted. Upon this a number of gentlemen were ſent from theſe colonies to conſult and ſettle with a committee of about twenty, choſen by the congreſs for the purpoſe. There was a difficulty about finding what ſhould be the preciſe period for oppoſing general Gage's troops; at length it was determined, that they ſhould be oppoſed whenever they marched out with their baggage, ammunition and artillery, for this would carry in it an apparent intention of acting hoſtilely in ſupport of Britiſh meaſures.

A committee was appointed to correſpond with the inhabitants of Canada; and it was reſolved, that the following letter be addreſſed to the ſeveral miniſters of the goſpel within this province—

Dec. 6.

"REV. SIR,

WE cannot but acknowledge the goodneſs of heaven, in conſtantly ſupplying us with preachers of the goſpel, whoſe concern has been the temporal and ſpiritual happineſs of this people. In a day like this, when all the friends of civil and religious liberty are exerting themſelves to deliver this country from its preſent calamities, we cannot but place great hopes in an order of men, who have ever diſtinguiſhed themſelves in their country's cauſe, and do therefore recommend to the miniſters of the goſpel, in the ſeveral towns and other places in this

colony, that they aſſiſt us in avoiding that dreadful ſlavery with which we are now threatened."

The miniſters of New England being moſtly congregational, are from that circumſtance, in a profeſſional way more attached and habituated to the principles of liberty than if they had ſpiritual ſuperiors to lord it over them, and were in hopes of poſſeſſing in their turn, through the gift of government, the ſeat of power. They oppoſe arbitrary rule in civil concerns from the love of freedom, as well as from a deſire of guarding againſt its introduction into religious matters. The patriots for years back have availed themſelves greatly of their aſſiſtance. Two ſermons have been preached annually for a length of time, the one on the general election day, the laſt Wedneſday in May, when the new general court have been uſed to meet according to charter, and elect the counſellors for the enſuing year: the other ſome little while after, on the artillery election day, when the officers are re-elected, or new officers are choſen. On theſe occaſions political ſubjects are deemed very proper; but it is expected that they be treated in a decent, ſerious and inſtructive manner. The general election preacher has been choſen alternately, by the council and the houſe of aſſembly. The ſermon is ſtiled *the election ſermon*, and is printed. Every repreſentative has a copy for himſelf, and generally one or more for the miniſter or miniſters of his town. As the patriots have prevailed, the preachers of each ſermon have been the zealous friends of liberty; and the paſſages moſt adapted to promote and ſpread the love of it, have been ſelected and circulated far and wide by means of newſpapers, and read with

avidity

avidity and a degree of veneration, on account of the preacher and his election to the ſervice of the day. Commendations both public and private, have not been wanting to help on the deſign. Thus by their labors in the pulpit, and by furniſhing the prints with occaſional eſſays, the miniſters have forwarded and ſtrengthened, and that not a little, the oppoſition to the exerciſe of that parliamentary claim of right to bind the colonies in all caſes whatever.

The clergy of this colony are as virtuous, ſenſible and learned a ſet of men, as will probably be found in any part of the globe of equal ſize, and equally populous. The firſt ſettlers were early attentive to the providing of ſuitable perſons to fill their pulpits with dignity. They ſaw the importance of it, and in 1636 the general court gave ſome hundred pounds toward a public ſchool at Newton; but Mr. John Harvard, a worthy miniſter of Charleſtown, dying in 1638, and bequeathing between ſeven and eight hundred pounds to the ſame uſe, the ſchool took the name of Harvard college by an order of court, and the town upon the occaſion changed its name for that of Cambridge. This college has been encouraged ever ſince, and is the firſt upon the continent. It is the *alma mater* to whom the youth of this colony, in particular, are ſent, whether deſigned for the pulpit, the bar, or other callings. Here they receive the rudiments of thoſe qualifications by which they are enabled to ſerve their country in a civil or ſacred department. The ſalaries of the miniſters are moderate, but in general ſufficient for their ſupport by the aid of good œconomy. They cannot approve of often bringing politics into the pulpit, yet they apprehend it

to be right upon ſpecial occaſions. Who but muſt admit, that "it is certainly the duty of the clergy to accommodate their diſcourſes to the times; to preach againſt ſuch ſins as are moſt prevalent, and to recommend ſuch virtues as are moſt wanted. For example, if exorbitant ambition and venality are predominant, ought they not to warn their hearers againſt theſe vices? If public ſpirit is much wanted, ſhould they not inculcate this great virtue? If the rights and duties of magiſtrates and ſubjects are diſputed, ſhould they not explain them, ſhow their nature, ends, limitations and reſtrictions?" You may have frequently remarked, that though the partizans of arbitrary power will freely cenſure that preacher, who ſpeaks boldly for the liberties of the people, they will admire as an excellent divine, the parſon whoſe diſcourſe is wholly in the oppoſite ſtrain, and teaches, that magiſtrates have a divine right for doing wrong, and are to be implicitly obeyed by men profeſſing chriſtianity, as if the religion of the bleſſed Jeſus bound them tamely to part with their natural and ſocial rights, and ſlaviſhly to bow their neck to any tyrant; as if Paul was faulty in ſtanding up for his Roman privileges, that he might eſcape a ſcourging, or falling a ſacrifice to the malice of his countrymen, when he appealed unto Cæſar.

1. The provincial congreſs choſe colonel Thomas and colonel Heath additional generals, and ſoon after diſſolved themſelves, that they might be at home in time to keep thankſgiving with their families. It has been long a cuſtom in the colony to have a faſt day in the ſpring, and a thankſgiving late in the fall of the year, or in the beginning of winter, when the heads of families

lies collect their children around them; and beſide attending the religious exerciſes of the day, feaſt upon a plentiful though not a ſplendid table, and are innocently merry. The obſervation of this day they call "*a keeping thankſgiving.*" The appointment of both days belongs in an orderly way to the governor; but in theſe extraordinary times the provincial congreſs appointed the public thankſgiving, on which among other enumerated bleſſings, a particular acknowledgment was to be made to the Almighty for the union which ſo remarkably prevails in all the colonies.

The aſſembly of Pennſylvania met toward the cloſe of the year, and were the firſt legal body of repreſentatives, that ratified unanimouſly all the acts of the general congreſs, and appointed delegates to repreſent them in the new congreſs to be held the enſuing May. It is thought, that they were in a great meaſure dragged into it, from the fear of a provincial convention.

No ſooner did they receive at Rhode Iſland, the account of the royal proclamation, prohibiting the exportation of military ſtores from Britain, but the people ſeized upon and removed from the batteries about the harbour, above forty cannon of different ſizes. The aſſembly alſo paſſed reſolutions for procuring arms and military ſtores, by every mean, and from every quarter in which they could be obtained, as well as for training and arming the inhabitants.

When copies of theſe reſolutions and of the proclamation arrived at Portſmouth in New Hampſhire, the people of the province were ſpirited up to make their firſt hoſtile movement. Though governor Wentworth's influence could not prevent their appointing deputies,

holding a convention at Exeter, and chooſing delegates for the continental congreſs; yet he had the addreſs to moderate their tempers, and to keep them from acts of violence. But the example of their neighbours, and the alarming ſituation of affairs, at length rouſed them
14. to uncommon exertions. More than four hundred men collected and beſet his majeſty's caſtle at Portſmouth. Captain Cochran who commanded, ordered three four-pounders to be fired on them, and then the ſmall arms; before he could be ready to fire again, the fort was ſtormed on all quarters, and the aſſailants immediately ſecured both him and his men, and kept them priſoners about an hour and a half, during which time they broke open the powder-houſe, took all the powder away, except one barrel, and having put it in boats and ſent it off, releaſed him from his confinement.

The hardy inhabitants of Marblehead, uſed to all the toils and dangers of a ſeafaring life, being out of employ, have attended to military exerciſe for hours, three days in a week, and will ſoon conſtitute a fine regiment of ſoldiers. The gentlemen of the place have encouraged them by their own example, and made it profitable to them. Something ſimilar has been practiſed at Salem, and other towns. The militia of the colony will, therefore, acquire ſome knowledge of arms, before they are called to engage in actual ſervice, ſhould that unhappily be the iſſue of preſent meaſures.

The Virginia militia officers, under the command of lord Dunmore, convened at Fort Gower on November the fifth, have ſhown what may be expected from them; for though they reſolved to bear the moſt faithful allegiance to his majeſty, they declared that the love of li-

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berty and attachment to the real intereſts and juſt rights of America, outweighed every other conſideration, and that they would exert every power within them for the defence of American liberty, when regularly called forth by the unanimous voice of their countrymen.

Barnſtable in New England, and Ridgefield in Connecticut, have diſtinguiſhed themſelves in adopting different meaſures from the other towns in their reſpective colonies. But the New York repreſentatives have given the greateſt diſguſt. After the aſſembly's taking into conſideration the regulations agreed upon at the grand congreſs reſpecting commerce, they rejected the ſame. This however was thought to be compenſated for, by the late reſolution of the Pennſylvania convention, wherein they have declared, "That, if the petition of the continental congreſs ſhould be diſregarded, and the Britiſh adminiſtration ſhould determine by force to effect a ſubmiſſion to the late arbitrary acts of the Britiſh parliament; in ſuch a ſituation, we hold it our indiſpenſable duty to reſiſt ſuch force, and at every hazard to defend the rights and liberties of America." The convention likewiſe recommended in particular the making of ſalt, gunpowder, ſalt-petre and ſteel. Among the many ſons of liberty of which they were compoſed, Mr. Charles Thomſon was eminent for his inflexible ſpirit; but Mr. Thomas Mifflin was as the very ſoul of the capital and province. Such are his natural and acquired accompliſhments, his unwearied exertions, his zeal, his addreſs, his ſprightlineſs, that he enlightens and invigorates every thing around him. 1775. Jan. 23.

The inhabitants of Maryland were no leſs zealous on the preſent critical occaſion, than thoſe of the moſt ac-

tive provinces. They were all in motion, forming county meetings, entering into aſſociations, chooſing committees, and recommending meaſures for carrying the reſolutions of the continental congreſs into effectual execution. The convention has appointed a ſum of money for the purchaſe of arms and ammunition. Every perſon, who refuſes to contribute to the purchaſe, is deemed an enemy to his country. Many of the principal gentlemen are ambitious of appearing in arms to defend its liberties. They have taken the power of the militia out of the hands of the governor, and eſtabliſhed it by their own authority, for the defence of the Maſſachuſetts as well as of themſelves; and thus have ſhown, to all the world, their approbation of New England meaſures. The lower counties of the Delaware have acted in like manner.

27. The New Hampſhire aſſembly, in anſwer to a letter from Maryland, has gone further than ever before, in ſaying, "You may depend upon the ready concurrence of this houſe with the meaſures thought neceſſary to be purſued by the other colonies in the great cauſe of liberty."

But the province did not truſt to the complexion of the aſſembly. A convention of deputies was appointed by the ſeveral towns, and held at Exeter, when the proceedings of the continental congreſs were unanimouſly approved; and members choſen to repreſent them at the enſuing one, two days before the aſſembly gave their anſwer.

Moſt of the New Yorkers accommodate themſelves to the meaſures appointed by the general congreſs.

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The general committee in Charleſtown South Carolina, upon receiving an account of theſe meaſures, immediately convened a provincial congreſs, and procured a return of repreſentatives from every pariſh and diſtrict in the colony, by which mean the body conſiſted of more than two hundred, while the conſtitutional aſſembly amounts to no more than forty-nine. The increaſe of the repreſentatives naturally ſerved the cauſe of the country, by engaging a greater number of leaders in ſupport of it. This firſt provincial congreſs met on the eleventh of January, they have unanimouſly approved the proceedings of the general congreſs, and reſolved to carry them into execution. Committees of inſpection and obſervation have alſo been appointed, whoſe buſineſs it is to ſee that the public reſolutions are univerſally obeyed, that ſo they may not be broken, through the ſelfiſhneſs of individuals. This is the prevailing mode of guarding againſt ſuch ſelfiſhneſs in every colony.

From the former ſucceſs of non-importation agreements, and a belief that the trade of America is indiſpenſably neceſſary to Britain, it is generally hoped and expected in the ſouthern ſtates, that the obnoxious acts will be repealed. They have no idea of an appeal to the ſword, notwithſtanding all the military parade that exiſts. A bloodleſs ſelf-denying oppoſition is the whole of their real intention, and all the ſacrifice that they imagine will be required. Similar ſentiments prevail among great numbers in the Maſſachuſetts; who while they are preparing for war, expect that preſent appearances will never terminate in it; for that Great Britain will not fight with her beſt cuſtomers, but will relax and accommodate,

modate, when they find the Americans reſolutely determined to uſe their arms rather than ſubmit.

Perſons, who diſcover great anxiety about the continuance of trade, are conſidered as ſelfiſh, preferring private intereſt to the good of the country; and under this thought, the intemperate zeal of the populace in ſome places, tranſports them beyond the limits of moderation, to apply ſingular puniſhments to individuals who counteract the general ſenſe of the community.

There is however to appearance, an amazing agreement through the continent; and it may be imagined, that the inhabitants of the twelve colonies have but one heart, and but one underſtanding. Aſſemblies, conventions, congreſſes, towns, cities, private clubs and circles, are ſeemingly animated by one great, wiſe, active and noble ſpirit—one maſterly ſoul, enlivening one vigorous body. All their acts tend to the ſame point, the ſupporting of the meaſures of the continental congreſs. But be aſſured, there are great numbers in every colony, who diſapprove of theſe meaſures—a few comparatively, from principle and a perſuaſion that the ſame are wrong, and that they ought to ſubmit to the mother country—ſome through attachment to the late governmental authority exerciſed among them—many from ſelf-intereſt—but the bulk for fear of the miſchievous conſequences likely to follow. The profeſſing friends of liberty have acted in a ſpirited manner, while the others have lain ſtill. Such as have diſcovered a diſpoſition to oppoſe popular meaſures have not been ſupported, and therefore have declined making further efforts, and abſented themſelves from town and other meetings. The popular cry being againſt them, they

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have ſought perſonal peace and ſafety in remaining quiet. But could the truth be aſcertained, it would probably be diſcovered, that in moſt of the town and other meetings, even in New England, far more than half the parties having a right to attend, from various cauſes were abſent; and that there were a great many among the abſentees, who were ſuch, becauſe they knew that matters would be carried at ſuch meetings contrary to their own ſentiments. Not only ſo but it may be reaſonably ſuppoſed, and time may prove that ſeveral in aſſemblies, conventions and congreſſes, voted againſt their own opinion, to ſecure themſelves from reſentment and to promote their preſent intereſt.

An inclination has appeared in ſeveral of the governmental gentlemen now in Boſton, to attempt opening the court at Worceſter, and to ſupport it by the aid of two regiments. It has been the ſubject of converſation. When the propoſal of marching them came to be conſidered in council, it was laid aſide. The governor was well pleaſed with the determination; he certainly does not wiſh to bring on a rupture.

Now let me conclude with giving you a picture of the Maſſachuſetts colony, which you will be inclined to pronounce an uncommon and aſtoniſhing curioſity. Some hundred thouſand people are in a ſtate of nature, and yet as ſtill and peaceable, at preſent, as ever they were when government was in full vigor. We have neither legiſlators, nor magiſtrates, nor executive officers. We have no officers, but m litary ones; of theſe we have a multitude choſen by the people, and exerciſing them with more authority and ſpirit, than ever any did who had commiſſions from a governor. The inhabitants

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are determined never to ſubmit to the act deſtroying their charter, and are every where devoting themſelves to arms. To force upon them a form of government to which they are abſolutely averſe, may not be within the omnipotence of a Britiſh parliament. The attempt has produced a ſuſpenſion of all legal authority, and yet individuals enjoy the ſame ſecurity as before, even when they differ from the public ſentiment, have they the prudence to moderate their tempers and obſerve a neutrality. By accommodating themſelves ſo far to the times, they are ſafe at home and abroad.

The fortitude with which the town of Boſton ſupports its preſent diſtreſſes, and the determination it diſcovers to endure as much as human nature can, rather than betray the American cauſe and endanger the liberties of poſterity, will ſecure it the encomiums of future generations. Not a town or city in all the colonies would have been likely to have exhibited ſo glorious a ſpectacle, had it been called out to a ſimilar trial; and all the friends of American liberty through the continent may congratulate themſelves, that the ſtorm of miniſterial vengeance has fallen firſt upon the capital of the Maſſachuſetts, as in conſequence of it they have enjoyed the opportunity of providing againſt the worſt that may be attempted, in order to reduce them to ſubjection.

L F T.

LETTER XI.

London, March 3, 1775.

A Strange ſupineneſs prevailed, for ſome time after my laſt was cloſed, among the great body of the Engliſh nation; and the colony conteſts were little regarded. Numbers flattered themſelves, that as things had formerly ſo often appeared at the verge of a rupture, without actually arriving at it, ſome means would be found for accommodating the preſent diſpute. The opinion alſo was circulated, that a countenance of reſolution perſiſted in, would certainly put an end to the conteſt, which (it was ſaid) had been nouriſhed wholly by former conceſſions; people in general were therefore inclined to truſt the trial of perſeverance and reſolution, to a miniſtry who valued themſelves upon theſe qualities. The times have been highly favorable to any purpoſe, which only required the concurrence of the parliament and the acquieſcence of the public. Adminiſtration has taken advantage of theſe circumſtances, and the late parliament has been diſſolved, a twelve month before the expected time. This may be meant as a preparatory ſtep to the moſt coercive meaſures with America; but in a new houſe of commons miniſtry will be left at large, to chooſe or alter their line of conduct as incidents may vary, and if neceſſary, can throw all the odium of the late laws upon the former parliament. 1774. Sept. 30.

His majeſty in his ſpeech informed the new one, that a moſt daring ſpirit of diſobedience to the law ſtill unhappily Nov. 30.

happily prevailed in the Maſſachuſetts, and had broken forth in freſh violences of a criminal nature; that theſe proceedings had been encouraged in other colonies, and unwarrantable attempts been made to obſtruct the commerce of the kingdom, by unlawful combinations; that ſuch meaſures had been taken, and ſuch orders given, as were judged moſt proper for carrying the laws into execution; and that they might depend upon a firm reſolution to withſtand every attempt to weaken the ſupreme authority of the legiſlature over all the dominions of the crown, his majeſty being aſſured of receiving their ſupport while acting upon theſe principles.

The propoſed addreſs in the houſe of commons, produced a conſiderable debate; and the miniſter was reminded of the mighty effects he had predicted from the late acts againſt America:—They were to humble that whole continent in the duſt, without further trouble, and the puniſhment of Boſton was to ſtrike an univerſal panic on all the colonies; that refractory town would be totally abandoned, and inſtead of obtaining relief, a dread of the ſame fate would even prevent the appearances of pity. But the addreſs was carried without any amendment, by a majority of more than three to one.

That from the houſe of lords was couched in ſtrong terms, and was warmly debated. It was rendered memorable by a proteſt, thought to be the firſt upon an addreſs, and which was very pointed; it concluded with the following remarkable declaration: "But whatever may be the miſchievous deſigns, or the inconſiderate temerity, which leads others to this deſperate courſe, we wiſh to be known as perſons, who have diſapproved of meaſures ſo injurious in their paſt effects and their

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future tendency, and who are not in haſte, without inquiry or information, to commit ourſelves in declarations which may precipitate our country into all the calamities of a civil war.*" The addreſs was carried by a majority of 63 to 13.

Notwithſtanding the hoſtile tone of the ſpeech, and the great majority that ſupported the addreſſes, there appeared an irreſolution on the ſide of miniſtry; and previous to the Chriſtmas receſs, they ſeemed evidently to ſhrink from all conteſt upon American ſubjects. The national eſtimates were entirely formed upon a peace eſtabliſhment; and the miniſter of the naval department publicly aſſerted in the houſe of lords, that he knew it would be fully ſufficient for reducing the colonies to obedience. He ſpoke with the greateſt contempt both of the power and courage of the Americans; and held that they were not diſciplined, nor capable of diſcipline, and that formed of ſuch materials, and ſo indiſpoſed to action, the numbers, of which ſuch boaſts had been made, would only add to the facility of their defeat.

The eſtabliſhment will indeed, be fully ſufficient, if the miniſtry mean to employ the navy only, and to recall the military. Ships may effect that with little hazard and expence, which if once attempted by ſoldiers, may plunge the nation into enormous diſburſements, and yet not be accompliſhed. A few ſhips of the line ſtationed ſingly near the capital ports of the colonies, and a number of frigates employed as cruiſers to ſtop the Americans from ſending any veſſels to ſea; and this meaſure continued, would at length weary out

* Lords who ſigned the proteſt—Richmond, Portland, Rockingham, Stamford, Stanhope, Torrington, Ponſonby, Wycombe, Camden,

the inhabitants of the towns and cities upon the ſea-coaſt of the continent, and induce one or other of them to ſubmit; and if but one link of the chain gave way, the whole would ſoon come to the ground; and were the ſea-ports once brought to adjuſt the preſent diſpute with adminiſtration, the towns in the back country might be gradually inclined to the ſame, whatever may be their preſent apprehenſions. The proper application of the navy to the American conteſt would alſo exclude all foreign interference.

The congreſſional proceedings were received before the Chriſtmas receſs, and miniſtry were diſpoſed to retract their violent meaſures, and to redreſs American grievances. To this end, application was made, under the auſpices of the miniſter, to the body of the American merchants, deſiring them to frame petitions for the redreſs of American grievances, and the reſtoration of American rights, and promiſing compliance with them, as it was moſt agreeable to the miniſtry to repeal the obnoxious acts, ſeemingly in conſequence of petitions at home. While this was in agitation, letters were received from New York, aſſuring that the aſſembly would reject the proceedings of the general congreſs, and that there would be a ſeparation of that colony from the reſt. Freſh hopes were conceived from the proſpect of a diviſion, upon which miniſtry reverted to meaſures more adapted to their own inclination *.

But during the receſs, perſons began to conſider the conſequences which might follow the congreſſional proceedings, and a general alarm was ſpread. This produced ſeveral meetings of the North American mer-

* See the Remembrancer, Part II. p. 227, the note.

chants in London and Briſtol; and petitions to parliament were prepared and agreed upon in both places. But the times were ſo altered from what they were formerly, that no mercantile oppoſition could prove efficacious by endangering the continuance of the miniſtry.

On the firſt day of the meeting after the receſs, the nobleman at the head of the American affairs, laid the papers belonging to his department, before the lords, on which Lord Chatham roſe, and expreſſed his utmoſt diſſent and diſapprobation of the whole ſyſtem of American meaſures.

Being in poſſeſſion at preſent of your friend Mr. Quincy's journal, wherein he gives a particular account of his lordſhip's ſpeech, of the copies of ſeveral letters ſent by himſelf to America, and of other matters, permit me to tranſcribe from the ſame, and give you the thoughts and expreſſions of Mr. Quincy, with the dates.

Viewed Plymouth docks. My ideas of the riches and powers of this great nation are increaſed to a degree I ſhould not have believed, if it had been predicted to me. I am not in any meaſure reconciled to the Britiſh plan of taxing America, but I ſhould with cheerfulneſs accede to a contribution from the colonies, (they being the ſole judges of the time and quantity of their grants) toward the charges of the Britiſh government. 1774. Nov. 11.

This morning J. Williams eſq; informed me, that governor Hutchinſon had repeatedly aſſured the miniſtry, that a union of the colonies was utterly impracticable; that the people were greatly divided among themſelves in every colony; and that there could be no doubt but that all America would ſubmit; that they muſt, and 18.

would ſoon. Several of the nobility and miniſtry aſſured Dr. Franklin of the ſame facts.

19. Lord N—— repeatedly ſaid to me, "We muſt try what we can do to ſupport the authority we have claimed over America; if we are defective in power, we muſt ſit down contented and make the beſt terms we can; and nobody then can blame us after we have done our utmoſt; but till we have tried what we can do, we can never be juſtified in receding; and we ought to, and ſhall be very careful not to judge a thing impoſſible, becauſe it may be difficult; nay, we ought to try what we can effect before we can determine upon its impracticability."

24. To ——. "The following language hath been reiterated to me in various companies"— "We are afraid of nothing but your diviſion, and your want of perſeverance. Unite and perſevere; you muſt prevail—you muſt triumph."

"From parliament expect no favor, but what proceeds from fear. Depend not upon commercial plans for your ſafety. Dr. Franklin is an American in heart and ſoul. His ideas are not contracted within the narrow limits of exemption from taxes, but are extended upon the broad ſcale of total emancipation. He is explicit and bold upon the ſubject."

26. Governor P—— aſſured me, that all the meaſures againſt America were planned and puſhed on by Bernard and Hutchinſon. They were inceſſant in their applications to adminiſtration, and gave the moſt poſitive aſſurances of ſucceſs.

Dec. 6. Mr. commiſſioner M—— waited on me. In the courſe of converſation he ſaid, "You can have no idea of

of the taxes of this kingdom, and the diſtreſs of our poor. They are extreme poor and wretched indeed—every thing here is taxed to the utmoſt. The colonies muſt relieve us: they muſt eaſe us of our taxes, &c.' He alſo affirmed to me, that governors Bernard and Hutchinſon were principally attended to in the late meaſures againſt the colonies. But he added, that government had found many things had turned out different from Hutchinſon's repreſentations, and had not been at all conformable to what he foretold.

To ———. "My whole time is employed in endeavouring to ſerve my country. I find every body eager to hear, moſt people willing to be ſet right, and almoſt all groſsly ignorant of the American world. It is agreed on all hands, that your courage—your courage, I repeat it—will be brought to the teſt. Should it prove anſwerable to your oſtentations, and worthy your anceſtors, your friends will amazingly increaſe, your hearty friends will be in raptures. Prepare, prepare I ſay, for the worſt."

"Many of your friends here in both houſes will not take a deciſive part, till they ſee how you act in America. For ſhould they take a determined part now in favor of that country, and in a ſhort time America give back, their hopes of riſe into power and office (which are the hopes of all Britiſh ſtateſmen) would be for ever at an end. Therefore till the coloniſts diſcover that union and ſpirit, which all parties here agree, muſt force ſucceſs, you are not to expect any great exertions in your favor. But when once there is a conviction, that the Americans are in earneſt, that they are reſolved to endure all hazards with a ſpirit worthy the prize, then

(and not till then) will you have many firm, active, perſevering and powerful friends. For, ſtrange as it may ſeem, there is a great doubt here, among many, whether you are really in earneſt, in the full force and extent of thoſe words."

12. Lord ——— appeared a very warm friend to the Americans, and ſaid, "If they continue united, they muſt have all they aſk." He particularly mentioned, that Lord M——, laſt ſeſſions, aſſured the houſe of lords, that the plan they had laid would go down in America *ſine clade*; and alſo, that he had the beſt intelligence what might be carried through there. His lordſhip had no doubt that ſuch aſſurance was grounded on Hutchinſon's information.

14. To E——. "Your countrymen muſt ſeal their cauſe with their blood. They muſt preſerve a conſiſtency of character. THEY MUST NOT DELAY. They muſt—or be trodden down into the vileſt vaſſalage—the ſcorn—the ſpurn of their enemies—a by-word of infamy among all men."

16. To E——. "Permit me to congratulate my countrymen on the integrity and wiſdom, with which the congreſs have conducted. Their policy, ſpirit and union, have confounded their foes, and inſpired their friends. All parties agree in giving them a tribute of honor and applauſe. My Lord N—— endeavoured to explain away his expreſſion, "I will have America at my feet." Beware of the arts of negotiation."

"By the way, there is no doubt but the miniſtry ſent large ſums to New York in order to bribe your continental delegates. It was openly avowed and vindicated; and great boaſt was made of miniſterial ſucceſs in this

way,

way, with the delegates from New York. It was ſaid, that they had effected a diſ-union which would be fatal to the cauſe of America. You can't well imagine the chagrin with which the miniſtry received the reſult of that glorious body. They are viewed as the *northern conſtellation* of glorious worthies, illuminating and warming the new world."

To Joſeph Reed eſq; (of Philadelphia) 17.

"Sure I am that the miniſtry have no where ſuch ſanguine hopes of a defection as from that quarter (New York.) Their influence is no where ſo forcibly extended; it is certain they will be aſtoniſhingly diſappointed if they do not find a ſenſibility to their touch. Lord C—— ſaid in the houſe of lords, the other day, " Were I an American, I would reſiſt to the laſt drop of my blood." Your parliamentary friends ſay, ſnatch the opportunity for peace and reconciliation. Your ſanguine and warm partizans ſay, " You are united and inſpired now, circumſtances that may never happen again. Seize the happy and glorious opportunity for eſtabliſhing the freedom and ſocial felicity of all America. There is a tide in the affairs of men."

While (at Bath) viewing the moſt magnificently ele- 1775. Jan. 2. gant new rooms, in company with colonel Barre, he ſaid, pointing to the pictures taken from ruins found at Herculaneum, " I hope you have not the books containing the draughts of thoſe ruins with you." I replied, " There was one ſet I believed in the public library at our college." " Keep them there, (ſaid he) and they may be of ſome ſervice as a matter of curioſity for the ſpeculative, but let them get abroad and you are ruined.

They will infuſe a taſte for buildings and ſculpture; and when a people get a taſte for the fine arts, they are ruined. 'Tis taſte that ruins whole kingdoms. 'Tis taſte that depopulates whole nations. I could not help weeping, when I ſurveyed the ruins at Rome. All the remains of the Roman grandeur are of works which were finiſhed, when Rome and the ſpirit of Romans were no more, unleſs I except the ruins of the Emilian baths. Mr. Quincy, let your countrymen beware of taſte in their buildings, equipage, and dreſs, as a deadly poiſon."

Colonel Barre alſo added in the courſe of converſation, "About 14 or 15 years ago, I was through a conſiderable part of your country; for in the expedition againſt Canada, my buſineſs called me to paſs by land through Pennſylvania, New Jerſey, York and Albany; and when I returned again to this country, I was often ſpeaking of America, and could not help ſpeaking well of its climate, ſoil and inhabitants; for you muſt know, Sir, America was always a favorite with me. But will you believe it, Sir, yet I aſſure you it is true, more than two-thirds of this iſland at that time, thought the Americans were all negroes." I replied, "I did not in the leaſt doubt it, for if I was to judge by the late acts of parliament, I ſhould ſuppoſe that a majority of the people of Great Britain ſtill thought ſo, for I found that their repreſentatives ſtill treated them as ſuch." He ſmiled and the diſcourſe dropped. The colonel was among thoſe who voted for the Boſton port-bill.

20. Attended the debates of the houſe of lords. Good fortune gave me one of the beſt places for taking a few minutes.

Lord

Lord Chatham roſe like Marcellus. "Viros ſupereminet omnes." He ſeemed to feel himſelf ſuperior to thoſe around him. His language, voice and geſture, were more pathetic than I ever ſaw or heard before at the bar or ſenate. He ſeemed like an old Roman ſenator, riſing with the dignity of age, yet ſpeaking with the fire of youth.

The illuſtrious ſage ſtretched forth his hand with the decent ſolemnity of a Paul, and riſing with his ſubject, he ſmote his breaſt with the energy and grace of a Demoſthenes. He opened with ſome general obſervations, on the importance and magnitude of the American quarrel (as he called it.) He enlarged upon the dangerous and ruinous events, that were coming upon the nation, in conſequence of the preſent diſpute, and the meaſures already begun and now carrying on by his majeſty's miniſters. He arraigned their conduct with great ſeverity and freedom. He then proceeded:

"My lords, theſe papers from America, now laid for the firſt time before your lordſhips, have been, to my knowledge, 5 or 6 weeks in the pocket of the miniſter. And notwithſtanding the fate of this kingdom hangs upon the event of this great controverſy, we are but this moment called to a conſideration of this important ſubject. My lords, I do not want to look into one of thoſe papers; I know their contents well enough already. I know that there is not a member in this houſe but is acquainted with their purport alſo. There ought therefore to be no delay in entering upon this matter; we ought to proceed to it immediately. We ought to ſeize the firſt moment to open the door of reconciliation. The Americans will never be in a temper

or ſtate to be reconciled (they ought not to be) till the troops are withdrawn. The troops are a perpetual irritation to theſe people: they are a bar to all confidence, and all cordial reconcilement. I therefore, my lords, move—That an humble addreſs be preſented to his majeſty, moſt humbly to adviſe and beſeech his majeſty, that, in order to open the way towards an happy ſettlement of the dangerous troubles in America, by beginning to allay ferments, and ſoften animoſities there; and above all, for preventing, in the mean time, any ſudden and fatal cataſtrophe at Boſton, now ſuffering under the daily irritation of an army, before their eyes, poſted in their town, it may graciouſly pleaſe his majeſty, that immediate orders may be diſpatched to general Gage, for removing his majeſty's forces from the town of Boſton, as ſoon as the rigor of the ſeaſon, and other circumſtances indiſpenſable to the ſafety and accommodation of the ſaid troops, may render the ſame practicable."

"The way, my lords, muſt be immediately opened for reconciliation. It will ſoon be too late. I know not who adviſed the preſent meaſures. I know not who adviſes to a perſeverance and enforcement of them; but this I will ſay, that whoever adviſes them ought to anſwer for it, at his utmoſt peril. I know that no one will avow, that he adviſed, or that he was the author of theſe meaſures: every one ſhrinks from the charge. But ſomebody has adviſed his majeſty to theſe meaſures, and if his majeſty continues to hear ſuch evil counſellors, his majeſty will be undone. His majeſty indeed may wear his crown; but the American jewel out of it, it will not be worth the wearing."

"What

"What more ſhall I ſay? I muſt not ſay, that the king is betrayed; but this I will ſay, the NATION is ruined. What foundation have we for our claims over America? What is our right to perſiſt in ſuch cruel and vindictive meaſures againſt that loyal and reſpectable people? They ſay you have no right to tax them without their conſent. They ſay truly. Repreſentation and taxation muſt go together: they are inſeparable. Yet there is hardly a man in our ſtreets, though ſo poor as ſcarce to be able to get his daily bread, but thinks he is the legiſlator of America. *Our* American ſubjects is a common phraſe in the mouth of the loweſt orders of our citizens; but property, my lords, is the ſole and entire dominion of the owner: it excludes all the world beſides the owner. None can intermeddle with it. It is a unity; a mathematical point. It is an atom; untangible by any but the proprietor. Touch it—and the owner loſes his whole property. The touch contaminates the whole maſs; the whole property vaniſhes.—The touch of another annihilates it—For whatever is a man's own is abſolutely and excluſively his own."

"In the laſt parliament all was anger—all was rage. Adminiſtration did not conſider what was practicable, but what was revenge. *Sine clade victoria* was the language of the miniſtry laſt ſeſſions, but every body knew, an ideot might know, that ſuch would not be the iſſue. But the ruin of the nation was a matter of no concern, if adminiſtration might be revenged. Americans were abuſed, miſrepreſented, and traduced in the moſt atrocious manner, in order to give a colour, and urge on to the moſt precipitate, unjuſt, cruel, and vindictive meaſures that ever diſgraced a nation."

Gnoſſius

Gnoſſius hæc Rhadamanthus habet *duriſſima* regna,
*Caſtigat*que, AUDITque dolos.

"My lords, the very infernal ſpirits, they *chaſtiſe, caſtigatque:* ſed *auditque*, my lords. The very ſpirits of the infernal regions HEAR *before* they *puniſh*. But how have this reſpectable people behaved under all their grievances? With unexampled patience, with unparalleled wiſdom. They choſe delegates by their free ſuffrages: no *bribery*, no *corruption*, NO INFLUENCE here, my lords. Their repreſentatives meet with the ſentiments and temper, and ſpeak the ſenſe of the continent. For genuine ſagacity, for ſingular moderation, for ſolid wiſdom, manly ſpirit, ſublime ſentiments and ſimplicity of language, for every thing reſpectable and honorable, the congreſs of Philadelphia ſhine unrivalled. This wiſe people ſpeak out. They do not hold the language of ſlaves: they tell you what they mean. They do not aſk you to repeal your laws as a favor: they claim it as a right: they demand it. They tell you, they will not ſubmit to them: and I tell you the acts muſt be repealed; they will be repealed; you cannot enforce them. The miniſtry are checker-mated. They have a move to make on the board; and yet not a move but they are ruined.

"Repeal, therefore, my lords, I ſay. But bare repeal will not ſatisfy this enlightened and ſpirited people. What! repeal a bit of paper: repeal a piece of parchment! That alone won't do, my lords. You muſt go through. You muſt declare you have no right to tax; then they may truſt you; then they will have confidence in you. I have heard a noble lord ſpeak, who ſeemed to lay ſome blame upon general Gage. I think that honorable

honorable gentleman has behaved with great prudence and becoming caution. He has entrenched himſelf and ſtrengthened his fortifications. I don't know what he could do more. His ſituation puts me in mind of a ſimilar tranſaction in the civil wars of France, when the great Condè on one ſide, and Marſhall Turenne on the other, with large armies lay many weeks very near each other. Turenne, conſcious of the terrible conſequences of a victory to himſelf and country, though the armies were ſeveral days in ſight of each other, never came to a battle. On his return to the court of France, the queen aſked him, "Why, Marſhall, I think you lay ſeveral days in ſight of your enemy, and you might have been up with him at any time; pray why did you not take him?" The general very ſhrewdly replied, "Should I have taken him, pleaſe your majeſty, I was afraid all Paris would have taken me." My lords, there are three millions of whigs. Three millions of whigs, my lords, with arms in their hands, are a very formidable body. 'Twas the whigs, my lords, that ſet his majeſty's royal anceſtors upon the throne of England. I hope, my lords, there are yet double the number of whigs in England that there are in America. I hope the whigs of both countries will join and make a common cauſe. Ireland is with the Americans to a man. The whigs of that country will, and thoſe of this country ought, to think the American cauſe their own. They are allied to each other in ſentiment and intereſt, united in one great principle of defence and reſiſtance: they ought therefore, and will run to embrace and ſupport their brethren. The cauſe of ſhip-money was the cauſe of all the whigs of England. *You ſhall not take my money without*

without my conſent, is the doctrine and language of whigs. It is the doctrine and voice of whigs in America, and whigs here. It is the doctrine in ſupport of which I do not know how many names I could—I may call in this houſe: among the living I cannot ſay how many I could, to join with me and maintain theſe doctrines with their blood; but among the dead I could raiſe an hoſt innumerable. And, my lords, at this day, there are very many ſound ſubſtantial honeſt whigs, who ought and who will conſider the American controverſy as a great common cauſe."

"My lords, conſiſtent with the preceding doctrines, and with what I have ever and ſhall continue to maintain, I ſay, I ſhall oppoſe America whenever I ſee her aiming at throwing off the navigation act, and other regulatory acts of trade, made *bona fide* for that purpoſe, and wiſely framed and calculated for reciprocation of intereſt, and the general extended welfare and ſecurity of the whole empire. It is ſuggeſted ſuch is their deſign. I ſee no evidence of it. But to come at a certain knowledge of their ſentiments and deſigns on this head, it would be proper firſt to do them juſtice. Treat them as ſubjects, before you treat them as aliens, rebels and traitors."

"My lords, deeply impreſſed with the importance of taking ſome healing meaſures at this moſt alarming diſtracted ſtate of our affairs, though bowed down with a cruel diſeaſe, I have crawled to this houſe, to give you my beſt experience and counſel; and my advice is to beſeech his majeſty, &c. &c. This is the beſt I can think of. It will convince America, that you mean to try her cauſe in the ſpirit and by the laws of freedom

and

and fair inquiry, and not by codes of blood. How can ſhe now truſt you, with the bayonet at her breaſt? She has all the reaſon in the world now to believe you mean her death or bondage."

"Thus entered on the threſhold of this buſineſs, I will knock at your gates for juſtice without ceaſing, unleſs inveterate infirmities ſtay my hand. My lords, I pledge myſelf never to leave this buſineſs: I will purſue it to the end in every ſhape. I will never fail of my attendance on it, at every ſtep and period of this great matter, unleſs nailed down to my bed by the ſeverity of diſeaſe. My lords, there is no time to be loſt; every moment is big with dangers. Nay, while I am now ſpeaking, the deciſive blow may be ſtruck, and millions involved in the conſequence. The very firſt drop of blood will make a wound, that will not eaſily be ſkinned over. Years, perhaps ages may not heal it. It will be *irritabile vulnus*, a wound of that rancorous malignant, corroding, feſtering nature, that in all probability it will mortify the whole body. Let us then, my lords, ſet to this buſineſs in earneſt, not take it up by bits and ſcraps as formerly, juſt as exigencies preſſed, without any regard to the general relations, connections and dependencies. I would not by any thing I have ſaid, my lords, be thought to encourage America to proceed beyond the right line. I reprobate all acts of violence by her mobility, but when her inherent conſtitutional rights are invaded, thoſe rights that ſhe has an equitable claim to the full enjoyment of, by the fundamental laws of the Engliſh conſtitution, and ingrafted thereon by the unalterable laws of nature, then I own myſelf an *American*, and feeling myſelf ſuch, ſhall, to

the verge of my life, vindicate thoſe rights againſt all men, who ſtrive to trample upon or oppoſe them."

From the effects of this ſpeech on the great audience without the bar, and from my own emotions and feelings, the miracles of ancient eloquence—*the blaze of genius and the burſt of thought*—with which Grecian and Roman orators have been ſaid to work wonders in the ſenate and the field, no longer appeared fabulous.

Lord Camden ſpoke next on the ſide of America and in ſupport of the motion. He equalled lord Chatham in every thing, but that fire and pathos which are the *forte* of his lordſhip. In learning, perſpicuity and pure eloquence, probably no one ever ſurpaſſed Lord Camden.

His lordſhip opened briefly upon the nature of property, the right of taxation, and its inſeparability from repreſentation. "My lords (he ſaid) I will not enter into the large field of collateral reaſoning applicable to the abſtruſe diſtinctions touching the omnipotence of parliament. The declaratory law ſealed my mouth. But this I will ſay, not only as a ſtateſman, politician and philoſopher, but as a COMMON LAWYER, my lords, you have no right to tax America. I have ſearched the matter. I repeat it, my lords, you have no right to tax America. The natural rights of man and the immutable laws of nature are all with that people. Much ſtreſs is laid on the ſupreme legiſlative authority of Great Britain, and ſo far as the doctrine is directed to its proper object I accede to it. But it is equally true, according to all approved writers on government, that no man, agreeable to the principles of natural or civil liberty, can be diveſted of any part of his property without his conſent. Every thing has been ſtaked on this ſingle poſition, that acts of parliament

ment muſt be obeyed: but this general, unconditional, unlimited aſſertion, I am far from thinking applicable to every poſſible caſe, that may ariſe in the turn of times. For my part, I imagine, that a power, reſulting from a truſt, arbitrarily exerciſed, may be lawfully reſiſted; whether the power is lodged in a collective body, or ſingle perſon, in the few or the many. However modified makes no difference. Whenever the truſt is wreſted to the injury of the people, whenever oppreſſion begins, all is unlawful and unjuſt, and reſiſtance of courſe becomes lawful and right. But ſome lords tell us ſeriouſly, that adminiſtration muſt reduce the Americans to obedience and ſubmiſſion, that is, you muſt make them abſolute and infamous ſlaves, and *then*—what? We will, ſay they, give them full liberty. Ah! is this the nature of man? No, my lords, I would not truſt myſelf, *American* as I am, in this ſituation. I do not think I ſhould, in that caſe, be myſelf for giving of them liberty. No, if they ſubmitted to ſuch unjuſt, ſuch cruel, ſuch degrading ſlavery, I ſhould think they were made for ſlaves; that ſervility was ſuited to their nature and genius. I ſhould think they would beſt ſerve this country as their ſlaves; that their ſervility would be for the benefit of Great Britain; and I ſhould be for keeping ſuch *Cappadocians* in a ſtate of ſervitude, ſuch as was ſuited to their conſtitution, and might redound much to our advantage."

"My lords, ſome noble lords talk very much of reſiſtance to acts of parliament. King, lords and commons are fine ſounding names. But, my lords, acts of parliament have been reſiſted in all ages. King, lords and commons may become tyrants as well as others.

Tyranny

Tyranny in one or more is the ſame. It is as lawful to reſiſt the tyranny of many as of one. Somebody once aſked the great Mr. *Selden*, in what law book, in what records or archives of the ſtate you might find the law for reſiſting tyranny. "I don't know, (ſaid Mr. Selden) whether it is worth your while to look deeply into the books upon this matter; but I'll tell you what is moſt certain, that it has always been the cuſtom of England—and the cuſtom of England is the law of the land."

"There is a gentleman, whom I need not name, his works are well received and well known, who avoids ſtating any rule, when reſiſtance is lawful; and he lays down the revolution as the only precedent. He ſays, that the various circumſtances, events and incidents, that may juſtify cannot be defined; but the people at large will judge of their welfare and happineſs, and act accordingly. The ſame writer ſays, that whenever a caſe exactly ſimilar in all its parts and circumſtances to the revolution, when a caſe ſhall run upon *all fours* with that, then the law ſeems to be ſettled, that reſiſtance is lawful. I do not pretend to quote his words. I think his meaning is very much as I have ſtated it. But undoubtedly in caſes, in many reſpects diſſimilar, but in equal degree tyrannical and oppreſſive, reſiſtance may be lawful, and the people in all ages, countries and climes have at times known theſe things; and they have and will for ever act accordingly."

Lord Shelburne in the courſe of his argument ſaid, "My lords, we know, we all know, that juſtice and injuſtice, right and wrong are not at all conſidered in the courſe of our parliamentary proceedings. We all know that nothing is debated in parliament for information or conviction,

viction, but for mere form. Every thing is conſidered in the cabinet and brought into parliament, not for conſideration, but for the ſanction of the legiſlature, and the ſcreening the counſellors of the king. The meaſures of parliament are the meaſures of the miniſter; and the meaſures of this miniſter are very often thoſe of his commiſſioner." The Marquis of Rockingham alſo ſupported the motion.

Lords Littleton, Suffolk, Gower, Townſend, Rochford and Weymouth ſpoke in oppoſition. I omit relating what their lordſhips ſaid, leſt I ſhould be ſuſpected by any who may ſee this journal, of an unfair report of their ſpeeches. But a very remarkable ſaying of Lord G—— I cannot omit. His lordſhip ſaid, "I am for enforcing theſe meaſures (and with great ſneer and contempt) let the Americans ſit talking about their natural and divine rights, their rights as men and citizens, their rights from God and nature."

The houſe, at about ten, divided after the preceding debates, on the queſtion contents 18, non-contents 77, including proxies.

Thus far from Mr. Quincy's papers.

The language of the lords in adminiſtration was high and deciſive. And it was declared, that the mother country ſhould never relax till America confeſſed her ſupremacy, and it was acknowledged to be the miniſterial reſolution, to enforce obedience by arms.

The principal trading and manufacturing towns in the kingdom, having waited to regulate their conduct as to American affairs, by that of the merchants of London and Briſtol, followed the example of theſe two great

commercial bodies, and prepared petitions upon that ſubject to be preſented to parliament.

Jan. 23. The petition from the merchants of London was of courſe the firſt delivered, and it was moved to be referred to the committee, appointed to take into conſideration the American papers; but it was moved by way of amendment, on the miniſterial ſide, that it ſhould be referred to a ſeparate committee to meet on the 27th, the day ſucceeding that appointed for the conſideration of American papers. This was objected to as a ſhameful pitiful evaſion; but upon the queſtion's being put, the amendment was carried, 197 againſt 81, who ſupported the original motion.

A ſimilar fate attended the petitions from Briſtol, Glaſgow, Norwich, Liverpool, Mancheſter, Birmingham, Wolverhampton, Dudley, and ſome other places; all of which, in turn, were conſigned to what the oppoſition termed the committee of oblivion.

26. On the day appointed for the conſideration of American affairs, a ſecond and very ſtrong petition was preſented from the merchants of London. On which it was moved, that the order for referring the merchants petition to a ſeparate committee ſhould be diſcharged, and that it ſhould be referred to a committee of the whole houſe, appointed to conſider the American affairs. The indignity and mockery offered to ſo great a body as the merchants of London by the late reſolution, which with an inſidious affectation of civility, received the petition with one hand, and threw it out of the window with the other, was painted in ſtrong colours. All the debates, on the ſubject of the petitions, were attended with an unuſual degree of aſperity, and even acrimony on the

ſide

ſide of oppoſition. The conduct alſo of the late parliament was ſcrutinized without mercy, and its memory treated with more than want of reſpect. A gentleman, remarkable for a ſarcaſtic poignancy in his obſervations, in ſketching a ſhort hiſtory of that parliament, ſaid, that they began their political life with a violation of the ſacred right of election in the caſe of Middleſex; that they had died in the act of popery, when they eſtabliſhed the Roman catholic religion in Canada; and that they had left a rebellion in America, as a legacy. The queſtion was rejected upon a diviſion by a very great majority.

Though it was then late, a petition was offered from Mr. Bollan, Dr. Franklin, and Mr. Lee, ſtating that they were authorized by the American continental congreſs, to preſent a petition from the congreſs to the king, which petition his majeſty had referred to that houſe, and that they were enabled to throw great light upon the ſubject: they prayed to be heard at the bar, in ſupport of the ſaid petition. A violent debate enſued. The miniſtry alleged, that the congreſs was no legal body, and none could be heard in reference to its proceedings, without giving that illegal body ſome degree of countenance. It was anſwered, that the congreſs, however illegal as to other purpoſes, was ſufficiently legal for preſenting a petition. It was ſigned by the names of all the perſons who compoſed it, and might be received as from individuals. It was ſaid, That it was their buſineſs rather to find every plauſible reaſon for receiving petitions, than to invent pretences for rejecting them: that the rejection of petitions was one principal, if not the moſt powerful cauſe of the preſent troubles:

and that this mode of conſtantly rejecting their petitions, and refuſing to hear their agents, would infallibly end in univerſal rebellion, and not unnaturally, as thoſe ſeem to give up the rights of government, who refuſe to hear the complaints of the ſubject. The miniſtry inſulted the petition as containing nothing but pretended grievances, while they refuſed to hear and diſcuſs it. It was rejected by 218 to 68. This rejection muſt have been foreſeen by all who knew, that on the fourth of the month, Lord Dartmouth, by the king's orders, had written a circular letter to the governors of his majeſty's colonies, requiring them to uſe their utmoſt endeavours to prevent the holding of any more congreſſes; and that the American grievances were, in that letter, termed *pretended*. This letter was written a few days after the petition had met with an apparent gracious reception, and had been promiſed a due conſideration; but probably not before favorable advices had been received reſpecting the New York aſſembly.

It was evident, that both houſes of parliament were ready to adopt any meaſures which adminiſtration ſhould propoſe; and it was confidently believed and aſſerted, that when the merchants and manufacturers were deprived of all hopes of preventing the operation of force, it would then become their intereſt to give all poſſible effect to it. They would thus become by degrees, a principal ſupport of that cauſe, which they now ſo eagerly oppoſed.

The opinion of the efficacy of a forcible mode of proceeding in America, and the hopes of compelling a great body at home to concurrence, have made the miniſters more and more reſolved to go through, and complete

the plan with which they have begun. It may however be much doubted, whether they ſuſpect that the American conteſt will end in blood. Some of them in all probability have ſuch a firm reliance upon Mr. Hutchinſon's judgment, as to flatter themſelves that the coloniſts will give way to thoſe appearances of coercion, which they have adopted and mean further to adopt; and ſo have engaged in the preſent hazardous politics, in hopes of enjoying a bloodleſs conqueſt, and therein a complete triumph over all oppoſition.

Lord Chatham perſevered in the proſecution of his conciliatory ſcheme with America, and accordingly brought into the houſe of lords the outlines of a bill, which he hoped would anſwer that ſalutary purpoſe, under the title of "A proviſional act for ſettling the troubles in America, and for aſſerting the ſupreme legiſlative authority, and ſuperintending power of Great Britain over the colonies." Feb. 1.

This bill cauſed a variety of diſcuſſion within and without doors. The miniſtry obſerved, that it was a propoſition of reconciliation by conceſſion, which was cauſe ſufficient to induce them to reject it; their plan being, at preſent, to ſhow a firm reſolution not to give way in any inſtance, while the oppoſition in America continued. It was unuſual in parliament to reject, on the firſt propoſition, any bill for an object allowed to be neceſſary, and promiſing, however faintly or rudely, any plan for obtaining the end propoſed. But the proceeding on this occaſion was different. They condemned without reſerve the bill in the whole, and in all its parts; and it was moved, and ſtrongly ſupported by all the lords on the ſide of adminiſtration, that the bill be rejected

rejected in the firſt inſtance. The noble framer defended himſelf and his bill from the numerous attacks which were made on both, with great ſpirit and vigor. The indignity offered him, ſeemed to renew all the fire of youth; and he retorted the ſarcaſms, which were levelled at him from different quarters, with a moſt pointed ſeverity. The nature of the ſubjects debated, and the ſtate of temper on both ſides, produced much warmth, ſevere altercation, and even perſonal animadverſion. The bill was rejected by a majority of 61 to 32, not being allowed to lie upon the table. The rejection of it may be of no diſſervice to the coloniſts. It contained in it, a propoſal to require of congreſs the making of a free grant to the king, of a certain perpetual revenue, ſubject to the diſpoſition of the Britiſh parliament; and congreſs was to adjuſt the proportions of the ſeveral charges to be borne by each province, toward the general contributory ſupply. Had it paſſed into an act, the coloniſts might not have united in the propoſal, but dangerous diviſions have followed, ſo that you may have no occaſion to regret its fate, eſpecially as that will ſtrengthen your union, and increaſe your friends.

A petition was preſented to the commons, from the planters of the ſugar colonies reſiding in Great Britain, and the merchants of London trading to thoſe colonies, ſetting forth the diſtreſs to which the Weſt India iſlands will be reduced, unleſs the former harmony between this kingdom and the American colonies is reſtored. Like all the former upon the ſubject, it was referred to the eſtabliſhed petition committee. The day it was preſented, the miniſter opened his deſigns in reſpect to America. Having prepared the way by a ſpeech, he

moved

moved for an addreſs to the king, and for a conference with the lords, that it might be the joint addreſs of both houſes. The addreſs returns thanks for the communication of the American papers; and declares, that they find from them, that a *rebellion* actually exiſts within the province of the Maſſachuſetts-bay; that the parties concerned in it have been countenanced and encouraged by unlawful combinations and engagements entered into, in ſeveral of the other colonies; that they never can relinquiſh any part of the ſovereign authority over all the dominions, which by law is veſted in his majeſty and the two houſes of parliament; that they ever have been, and always ſhall be, ready to pay attention and regard to any real grievances of any of his majeſty's ſubjects, which ſhall in a dutiful and conſtitutional manner be laid before them; but at the ſame time they beſeech his majeſty to take the moſt effectual meaſures to enforce due obedience to the authority of the ſupreme legiſlature; and in the moſt ſolemn manner aſſure him, that at the hazard of their lives and properties, they will ſtand by him againſt all rebellious attempts, in the maintenance of the juſt rights of his majeſty and the two houſes of parliament.

Lord North then gave a ſketch of the meaſures he intended to purſue, which were to ſend a greater force to America, and to bring in a temporary act to put a ſtop to all the foreign trade of the different colonies of New England, particularly their fiſhery on the banks of Newfoundland, till they returned to their duty.

The addreſs was ſo loaded with conſequences, the extent of which could not be defined, that it called up all the powers of oppoſition, and even ſome few of the

moſt moderate in the houſe ſeemed to feel a kind of horror, at entering upon a meaſure ſo dangerous in the tendency, and inexplicable in the event.

A gentleman, of the firſt eminence in the law, followed the miniſter through the whole detail of his ſpeech, and anſwered the different poſitions. He inſiſted, that having examined with legal preciſion the definitions of treaſon, the Americans were not in rebellion, and ſaid, "Whatever the diſorders may be, they are created by the conduct of thoſe, whoſe views are to eſtabliſh deſpotiſm, and which are manifeſtly directed to reduce America to the moſt abject ſtate of ſervility, as a prelude to the realizing the ſame wicked ſyſtem in the mother country." He concluded by maintaining, that an oppoſition to arbitrary meaſures is warranted by the conſtitution, and eſtabliſhed by precedent.

The other gentlemen of the minority entered but little into the juridical part of the debate; but maintained, that it would be imprudent for parliament at this time to *declare* the diſturbances rebellious. They ſaid, "It is well known no act of violence has been committed in the Maſſachuſetts-bay, which has not been equalled by ſomething ſimilar in every other province, and ſometimes even exceeded by acts of a more heinous nature; that therefore the only effect of this violent, but partial declaration of rebellion, will be to delude ourſelves into preparations of hoſtility, as if againſt one province only, when in truth we have to contend with twelve."

On the other ſide, the crown lawyers and miniſterial debaters maintained, that ſuch Americans as come within certain deſcriptions, and have been guilty of certain acts, and ſtill perſevere in the ſupport and commiſſion of ſuch acts,

acts, are in a ſtate of actual rebellion; that the puniſhment of a few of the worſt ſort of traitors, ſuch as Hancock and his crew, may be ſufficient to teach the reſt their duty in future; and that the boaſted union of the colonies will diſſolve the moment parliament ſhows itſelf reſolved on vigorous and ſevere meaſures. Some gentlemen of rank in the army, treated all idea of reſiſtance by the Americans with the utmoſt contempt. They ſaid, "They are neither ſoldiers, nor ever can be made ſo, being naturally of a puſillanimous diſpoſition, and utterly incapable of any ſort of order or diſcipline; and by their lazineſs, uncleanlineſs, and radical defect of conſtitution, they are diſabled from going through the ſervice of a campaign, but will melt away with ſickneſs, before they can face an enemy; ſo that a ſlight force will be more than ſufficient for their complete reduction." Many ludicrous ſtories to that purport were told, greatly to the entertainment of the houſe. A motion however was made for an amendment, which upon a diviſion was rejected by a large majority, 304 againſt 105. The queſtion being then put for the addreſs, was carried by nearly the ſame majority.

But the minority had not done with the buſineſs. Upon receiving the report from the committee a few days after, a noble lord made a motion to recommit the addreſs; and ſupported it with many arguments. He ſtated our domeſtic ſituation, and inferred the impropriety and danger of a declaration from that houſe of the exiſtence of a rebellion in any part of our dominions; and ſhowed the deſperate meaſures into which it might precipitate the Americans, and the advantage that might be taken of ſuch an occaſion by our powerful and watch-

Feb. 5.

ful

ful neighbours, whoſe ancient enmity and jealouſy were much increaſed by the glory we had acquired, and the diſgrace and loſs they had ſuffered in the laſt war. He ſaid, "My head and my heart join in deprecating the horrors of a civil war, which will be rendered ſtill more dreadful, by its involving in it certain conſequences, a foreign one with the combined forces of great and powerful nations."

This motion introduced the longeſt and moſt intereſting debate that had taken place in the new parliament. It was acknowledged on all hands, that the preſent criſis was the moſt perilous and intricate, in which the nation had been involved ſince the revolution. It was contended by thoſe who oppoſed the motion, that the Americans were not to be won by kindneſs or retained by benefits; and that the tenderneſs, which had been conſtantly practiſed by government, had produced the preſent fatal conſequences. The danger from foreign powers ſupporting the Americans, was ſaid to be imaginary: and it was ſtill contended by ſeveral, that an appearance of vigorous meaſures, with ſome reinforcement of the troops at Boſton, would prove ſufficient to quell the diſturbances in America, without the drawing of blood.

On the other ſide, the addreſs was ſtigmatized as cruel, ſanguinary, and unjuſt. It was urged, "The Americans have given the ſtrongeſt and moſt unequivocal demonſtrations of their filial piety toward the mother country. They have fought and bled by our ſide. In the preſent ſtate of diſtraction, they require no more for the reſtoration of harmony, than to be placed in the ſame ſituation they were in at the cloſe of the laſt war. They have been nurſed up, for a long ſeries of

years,

years, in ideas of certain rights, of which, the electing of their own repreſentatives, and the diſpoſal of their own money for the public ſervice only through them, are among the principal. If this is an error, the crown and parliament are equally faulty with the Americans, having in their whole conduct conſtantly nouriſhed the deluſion. At the time of the repeal of the ſtamp-act, two of the firſt names of this kingdom, for ability as well as legal knowledge, beſide many others, utterly denied the right of taxation. Is it then to be wondered at, that the Americans, with ſuch authorities on their ſide, are tenacious of a right ſo invaluable in its nature, which has at all times been conſidered as the diſtinction between freemen and ſlaves, which has been confirmed by ſo long a preſcription, and upon which, to this inſtant, the wiſeſt and honeſteſt men, even in the mother country, are divided in opinion? Philip the Second, and his ſeventeen provinces, are the counterpart of what we are acting. In comparing the probability of events, can any man ſay, Great Britain has ſuch a proſpect of victory in the event as Spain might then have expected? If we imagine, that the powers of Europe will ſit ſtill during this conteſt, we muſt ſuppoſe a ſyſtem of policy now to prevail, or rather an extenſion of folly, all over Europe, which never before was known in any period of its exiſtence."

Much ill temper appeared in every part of the houſe in the courſe of theſe debates. The miniſtry were charged with acting uniformly and ſyſtematically upon tory and arbitrary principles, which had thrown the whole empire into a ſtate of confuſion and diſtraction. "In a word," it was ſaid, "the ſhort and ſimple queſtion

tion before the houſe, is, whether we ſhall loſe the colonies, or give up our miniſtry."

The miniſtry, on the other hand, talked much about faction at home, and republican principles; and the Americans being ſpirited up to their rebellion by incendiary writers and ſpeakers in England. After a debate, which continued till half an hour after two in the morning, the motion for the recommitment of the addreſs was rejected by nearly the former majority.

When it was moved in the houſe of lords, to fill up the blank, left open in the addreſs, by the inſertion of the words, "The lords ſpiritual and temporal, &c." to render the inſtrument the joint act of both houſes, a debate enſued. The queſtions of treaſon, rebellion, and conſtructive treaſons, were deeply entered into by two great law lords, who differed totally in their legal and political ſentiments, and carried on a long argument between them, with great warmth and ability; in which a large ſtock of profeſſional and general learning was diſplayed on each ſide. It is to be lamented, that with all the boaſted excellency of our conſtitution, a queſtion of ſo vaſt magnitude as to include in its conſequences, the lives, fortunes, and honors of all the ſubjects of this empire, ſtill remains involved in ſuch obſcurity, as not only to admit of a difference of opinion, but that even the great oracles of the law are bewildered in its darkneſs. This extraordinary debate was attended with ſome ſingular circumſtances. Lord Mansfield, to the great ſurpriſe of moſt of his auditors, condemned, in very explicit and unreſerved terms, the meaſure of laying on the duties in 1767, which he declared to be the moſt abſurd and pernicious that could be adviſed, and the

cauſe

cluſe of all the preſent impending evils. The duke of Grafton, Lord Shelburne, and Lord Camden, who were at that time cabinet counſellors, and held the firſt offices in the ſtate, declared ſeparately in their places, that they had no ſhare in that meaſure, nor had ever given it any approbation. The manner in which a meaſure of miniſtry was carried againſt the opinion of miniſters was not explained. A diſcloſure relative to a matter, which had already convulſed the whole empire, and was ſtill more to be dreaded in its future conſequences, excited general amazement, mixt with indignation and regret in individuals. The fatal and overruling ſecret influence, which had ſo long guided and marred all public affairs, was deplored and animadverted upon in different parts of the houſe.

When the queſtion came to be put, whether to agree with the commons in the addreſs, by inſerting the words neceſſary to fill up the blank, it was carried by a prodigious majority. But the lords Richmond, Craven, Archer, Abergavenny, Rockingham, Wycombe, Courtenay, Torrington, Ponſonby, Cholmondeley, Abingdon, Portland, Camden, Effingham, Stanhope, Scarborough, Fitzwilliam, and Tankerville, proteſted againſt "an addreſs amounting to *a declaration of war*, which is founded on no proper parliamentary information, which follows the rejection of every mode of conciliation, which holds out no ſubſtantial offer of redreſs of grievances, and which promiſes ſupport to thoſe miniſters, who have inflamed America, and groſsly miſconducted the affairs of Great Britain."

The addreſs was delivered, and an anſwer given, wherein his majeſty aſſured both houſes, that they might Feb. 9.

depend

depend upon his taking the moſt ſpeedy and effectual meaſures for enforcing due obedience to the laws, and the authority of the ſupreme legiſlature.

On that or the preceding day, the petition and memorial from the aſſembly of *Jamaica* to his majeſty, was laid before the commons. It was drawn up in very ſtrong terms. The petitioners entered into a full, free, and argumentative diſcuſſion of the late claims of the mother country, and of the rights of the colonies: the former of which they combated, and the latter defended with great force. They equally deplored and beheld with amazement, a plan almoſt carried into execution for reducing the colonies into the moſt abject ſtate of ſlavery; and they ſupplicated the throne, and demanded and claimed from the ſovereign, as the guarantee of their juſt rights, that no laws ſhould be forced upon them, injurious to their rights as coloniſts or Engliſhmen; and that, as the common parent of his people, his majeſty would become a mediator between his European and American ſubjects.

10. The next day the miniſter moved for leave to bring in a bill to reſtrain the trade and commerce of the New England provinces, to Great Britain, Ireland, and the Britiſh Weſt India iſlands, and to prohibit them from carrying on any fiſhery on the banks of Newfoundland, and other places therein to be mentioned, under certain conditions, and for a limited time. In anſwer to the objections made to it while the ſubject of debate, the charges of injuſtice and cruelty were denied, and the contrary maintained; it was declared to be neceſſary; and it was obſerved, that though the innocent were involved with the guilty, and friends with foes, the neceſſity

ceſſity might be lamented, but could not be helped. The motion for a bill was carried by a majority of three to one.

In the progreſs of the bill, the London merchants and traders, intereſted in the American commerce, petitioned againſt it, and were allowed to be heard. In conſequence of this a long train of witneſſes were examined, and it appeared, That in 1764, the four New England colonies employed in their ſeveral fiſheries, no leſs than 45,880 ton of ſhipping, and 6002 men, and that the produce of their fiſheries in the foreign markets for that year, amounted to 322,220l. 16s. ſterling:—That the fiſheries were greatly increaſed; that all the materials uſed in them, except ſalt, and the timber of which their veſſels were built, were taken from this country, and that the nett proceeds of the fiſh were remitted here; and that there was near a million of money owing from New England to the city of London only. They ſtated to the houſe, that the calamities conſequent upon the bill muſt fall in a particular degree upon the innocent. The caſe of the inhabitants of Nantucket would be particularly hard. They amounted to ſome thouſands, nine-tenths of them Quakers, inhabiting a barren land: but by an aſtoniſhing induſtry they kept 140 veſſels in conſtant employ, eight in the importation of proviſions for the iſland, and the reſt in the whale fiſhery.

While the bill was pending, Lord North amazed all parties, and ſeemed for a time nearly to diſſolve his own, by a *conciliatory motion* in regard to America. It propoſed, "That when the governor, council, and aſſembly, or general court of his majeſty's provinces or colonies, 20.

colonies, ſhall propoſe to make proviſion, according to their reſpective conditions, circumſtances, and ſituations, for contributing their proportion to the common defence (ſuch proportion to be raiſed under the authorities of the general court, or general aſſembly, of ſuch province or colony, and diſpoſable by parliament) and ſhall engage to make proviſion alſo, for the ſupport of the civil government, and the adminiſtration of juſtice in ſuch province or colony, it will be proper, if ſuch propoſal ſhould be approved by his majeſty in parliament, and for ſo long as ſuch proviſion ſhall be made accordingly, to forbear, in reſpect of ſuch province or colony, to levy any duties, tax, or aſſeſſment; or to impoſe any further duty, tax, or aſſeſſment, except only ſuch duties as it may be expedient to impoſe for the regulation of the commerce, the nett produce of the duties laſt mentioned to be carried to the account of ſuch province, colony, or plantation, reſpectively." The numerous high prerogative party, who had ever oppoſed any relaxation in favor of the colonies, heard the propoſition with horror, and conſidered themſelves as abandoned or betrayed. They pronounced it a ſhameful prevarication, and a mean departure from principle; and finally concluded with declaring, that they would make no conceſſions to rebels with arms in their hands; and that they would enter into no meaſure for a ſettlement with the Americans, in which an expreſs and definitive acknowledgment from them of the ſupremacy of parliament was not a preliminary article. A gentleman of the long robe, and who has lately diſtinguiſhed himſelf for his zeal in promoting all the meaſures for reducing the colonies (Mr. W——) had the addreſs in a few

minutes

minutes to huſh the commotion, by convincing the malcontents, that the *appearance* of conceſſion, lenity, and tenderneſs, which had ſo much alarmed them, were of ſuch a nature, that they could not interfere with the moſt rigid meaſures which they wiſhed to enforce. The gentlemen in oppoſition ſaid, "The motion is inſidious, baſe and treacherous, in the higheſt degree." The miniſter acknowledged it to be a cheat, and deſigned for the purpoſe of diſ-uniting the Americans; but it will tend only to conſolidate that common maſs of union into which they have been thrown by the Boſton port act. The queſtion was carried by a majority of three to one.

A petition from the merchants, traders, and principal inhabitants of Poole, in Dorſetſhire, was preſented, in avowed oppoſition to that from London, and in ſupport of the principles of the fiſhery-bill. This petition ſet forth, that the reſtraints upon the colonies would not by any means be injurious to commerce; and that the foreign markets might be amply ſupplied, by extending the Newfoundland fiſhery from England. They concluded by ſoliciting, no leſs for their own immediate advantage than for the univerſal benefit of their country, ſuch encouragement as parliament ſhould think proper. Feb. 27.

A petition was alſo delivered from the Quakers in behalf of their brethren and others, the inhabitants of Nantucket, in which they ſtated their innocence and induſtry, the utility of their labors to themſelves and the community, the hazards attending their occupation, and the uncertainty of their gains; and ſhowed, that if the bill paſſed into a law, they muſt ſhortly be expoſed to all the miſeries of a famine.

In every ſtage of the bill, the debate rekindled; and, in the courſe of it, the minority obſerved, "When it was thought wiſdom to overthrow eſtabliſhed privileges, and to combat national prejudices, by ſtarting the new claim of taxation, the Americans went no further than to deny our right of internal taxation. Having gained the point of urging them to queſtion one right, we ſoon convinced them, both by argument and practice, that an external tax might be made to anſwer all the purpoſes, and to produce all the miſchiefs of internal taxation. They then denied our right of taxing for ſupply. Parliament then proceeded to deprive them of their charter, and to change the courſe of juſtice and trials. Then they were puſhed to deny the power of internal legiſlation. But ſtill they had hitherto never formally rejected the power of parliament to bind their trade. We are now to convince them, however, that if but a ſingle branch of legiſlative power is left to this country, we can diſtort that branch in ſuch a manner, that it ſhall include all the purpoſes of unlimited tyranny." It appeared upon evidence at the bar of the houſe, that by the operation of the bill, many thouſands of innocent inhabitants would be reduced to the ſad alternative, either of periſhing through want at home, or of removing to ſome other leſs rigorous government for protection and ſupport; ſo that a famine among the New Englanders was predicted as the conſequence of the bill.

Some gentlemen on the other ſide of the queſtion, acknowledged the harſhneſs of the meaſure; but lamented its being indiſpenſably neceſſary. A much greater number contended, that the bill was in an high degree merciful,

merciful, and that the New England colonies did not want reſources to prevent a famine. A few went ſo far as to regret, that the bill did not convey puniſhments adequate to the crimes of the Americans, and to dread, that the famine which had been ſtrongly prognoſticated, and pathetically lamented, would not take place.

Mr. Quincy ſails to-morrow for the *Maſſachuſetts*. He is very far from being well; and has been attended upon repeatedly by Dr. Fothergill. The doctor thinks the Briſtol air and water would give him perfect health; and it is greatly againſt his own opinion and inclination that he takes the voyage. But he riſks his life for the good of his own colony in particular, and of America in general. His moſt intimate friends inſiſt upon his going directly to Boſton. They ſay no letter can go with ſafety; and that he can deliver more information and advice *viva voce*, than can or ought to be written. They urge that by going now, if he arrives ſafe, he muſt be of great advantage to the American cauſe.

He is to tell the people of your colony, by no means to take any ſtep of great conſequence (unleſs on a ſudden emergency) without the advice of the continental congreſs; and is to repair to that honorable body, when met at Philadelphia.

You will hear from him, how egregiouſly the Americans have been inſulted by ſeveral in both houſes of parliament, in being pronounced daſtardly cowards and poltroons, *to be looked into ſubmiſſion* at the approach of a regiment; and that if this is your true character, there will be no great exploit in the brave general *Grant*'s marching ſucceſsfully, with only five regiments, from one end of the continent to the other, of which he has

declared himſelf capable. It is ſaid, that an American durſt not look at a red coat. The ſenator holds this language in the ſenate; and the general at the head of an army. It paſſes for a maxim, and it is thought ſcepticiſm to doubt it. Every ſubaltern upon half pay looks upon himſelf as qualified for ſubduing America. If a man ſays otherwiſe, the finger is pointed at him as to an enemy of his country. Mr. Quincy will be likely alſo to give you the name of the member, who in a late ſpeech adulterated the Engliſh tongue, that he might gratify his inveteracy, by puniſhing you with *ſtarvation*.

By a future opportunity you will receive an account of the progreſs of the reſtraining and fiſhery bill through the houſe of lords; of the further proceedings of parliament and miniſtry; and of the national complexion.

LETTER XII.

Roxbury, April 26, 1775.

WHILE the Maſſachuſetts had no provincial congreſs, the active friends of government had an opportunity to try their ſtrength in a few places, and to attempt reſiſting the general current, by refuſing a compliance with the reſolutions of the colony congreſs; but the diſſentients were overwhelmed by numbers, and their attempts proved abortive.

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The royal proclamation prohibiting the exportation of military ſtores from Britain, his majeſty's ſpeech, and the addreſſes of the new parliament, in the opinion of many, cut off all hopes of reconciliation, more eſpecially in New England.

The new Maſſachuſetts congreſs met at Cambridge, Feb. and Mr. Hancock was unanimouſly choſen preſident. 1. They adjourned to Concord in about a fortnight, that the diſtance might afford them greater perſonal ſecurity, and render them leſs liable to interruption by any meaſures of the governor. That the colony might be ſomewhat prepared for the ſoreſt trial, they urged in the ſtrongeſt terms, the militia in general, and the minute men in particular, to ſpare neither time, pains nor expence, at ſo critical a juncture, for perfecting themſelves forthwith in the military diſcipline. They paſſed reſolutions for the providing and making of fire arms and bayonets, and renewed the prohibition of their predeceſſors, againſt ſupplying the troops at Boſton, with any of thoſe neceſſaries peculiarly requiſite for the military ſervice. The committee of ſafety had directed in the beginning of January, that all the cannon, mortars, cannon balls and ſhells, ſhould be depoſited at Worceſter and Concord in the ſame proportion as was done by the proviſion; and while the congreſs was ſitting, voted, "that the committee of ſupplies do purchaſe all the powder they can, and alſo all kinds of warlike ſtores, 13. ſufficient for an army of fifteen thouſand men to take 21. the field."

The propriety of the precautions taken to guard againſt a ſurpriſe was manifeſt from the following event.

26. General Gage receiving intelligence that cannon and carriages were depoſited in the neighbourhood of Salem, ſent a corps of troops from the caſtle, under lieutenant colonel Leſlie, on board a tranſport, to ſeize and bring them away. They landed at Marblehead, proceeded to Salem, found nothing there, and paſſed on to the draw-bridge leading to Danvers, where a number of people aſſembled, and thoſe of the oppoſite ſide took up the bridge to prevent their croſſing. The officer ordered it to be let down; the people peremptorily refuſed, ſaying, "It is a private road, and you have no authority to demand a paſſage this way." On this refuſal he determined to make uſe of the boats which were at hand; his intention was perceived, and the owners jumped into their own boats, and with their axes ſcuttled them, to make them uſeleſs for the preſent; during the tranſaction there was ſome ſcuffle between them and the ſoldiers. Things were apparently tending to an extremity. The reverend Mr. Bernard, a congregational clergyman of Salem, and other gentlemen, urged the letting down of the draw-bridge; but it was not done, till much time had been ſpent in altercation, during which period the articles, that colonel Leſlie was after, were conveyed away. When the opportunity of croſſing offered, he marched about thirty rods, to the ſpot where the artificers had been employed in making carriages, &c. but finding nothing, and it being now late in the evening, returned and went on board the tranſport without meeting with any moleſtation. This expedition took place on the Lord's day, which might contribute to its ending happily without miſchief. On any other day, when the people were not attending pub-

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lic worſhip, but diſperſed about and following their ſecular buſineſs, the landing of the troops would have been diſcovered, and ſome quarrel might have enſued while they were making it good, or afterward upon their march. The governor probably pitched upon the Lord's day, in hope that it would prevent every painful cataſtrophe; but the expedition ſpread an alarm.

The Maſſachuſetts congreſs were diſpleaſed with the proceedings of the New York general aſſembly; who renounced all concern with the late continental congreſs, declined chooſing delegates for the propoſed new one, and in their own ſingle capacity, ſent a petition to the king, a memorial to the lords, and a remonſtrance to the houſe of commons. In the remonſtrance they repreſented the grievances, under which they labored, by the innovations that had been made in the conſtitutional mode of government, ſince the cloſe of the laſt war. They renounced the moſt diſtant deſire of independence, acknowledged the ſupreme government of the Britiſh parliament over the whole empire, and their authority to regulate the trade of the colonies: remonſtrated in the behalf of their brethren in the Maſſachuſetts, for whoſe diſtreſſes they could not help feeling; but at the ſame time expreſſed their diſapprobation of the violent meaſures purſued in ſome of the colonies. They claimed a reſtoration of thoſe rights which they enjoyed before the cloſe of the war; but without entertaining an idea of diminiſhing the power of the mother country, or leſſening the dignity of parliament. Should the miniſtry embrace the opening thus given by the general aſſembly of New York, they may poſſibly ſeparate this central province from the others, and break the com-

munication between the northern and the ſouthern. But the apprehenſion of ſuch an event is abated by the intelligence, which the Maſſachuſetts congreſs have received from the city of New York. The whig citizens, whoſe hearts were ſet upon having delegates for the new continental congreſs, upon the aſſembly's declining to appoint them, contrived to collect their fellow citizens together in order to obtain their opinion. When aſſembled in a body, there was a confuſed cry of "Con-
Mar. greſs or no congreſs?" After much altercation, the to-
5. ries had a recourſe to compulſive reaſoning, and began dealing about their blows. The whigs were in the worſt ſituation, not being provided with ſimilar arguments, till two of their party repaired to an adjoining cooper's yard, from whence they drew forth to the aſſiſtance of their friends a number of hoop-ſticks, which they reduced to a proper length, and forwarded to the combatants. The whigs, being thus ſupplied, ſoon carried the day by club law, and beat their opponents off the ground. The tories, being worſted, and not a little terrified, leſt the fury of captain (whom they term in a way of reproach king) Sears ſhould lead him to head a mob, and do them ſome capital injury, promoted a provincial convention, which otherwiſe would not have exiſted. The battle royal at New York will prove the turning point as to that colony.

The Maſſachuſetts congreſs continued their ſeſſion,
16. and recommended the ſixteenth of March to be obſerved as the annual day for faſting and prayer, which was kept accordingly, by the inhabitants of Boſton, no leſs than of the country. But they did not preſume to rely upon religious exerciſes in the neglect of thoſe civil means

which

which prudence preſcribed. The people, both within and without, uſed every device for conveying ſafely from Boſton into the country, all kinds of military articles, which might be wanted in caſe of a rupture. Cannon, balls, and ſuch like heavy ſtores, were put into carts and carried out over the neck, under the appearance of loads of dung. Half barrels of gunpowder were put into butchers peds, or the hampers of the market people, and brought out under ſome ſlight negligent and unſuſpected cover, as they returned home in the evening. Cartridges were packed up in candle-boxes, and ſent off under that deception; but ſome were at length diſcovered. The ſoldiers on the neck did not make many prizes, however one day they ſeized 13,425 muſ- 18.
ket cartridges, with 3000lb. weight of ball, which, though private property, the general was warranted in refuſing to reſtore, on the application of the owner.

That general Gage might not ſucceed in ſeizing any military ſtores in the country, ſhould he ſend out troops upon that errand, the committee of ſafety had voted four days before, "that members from this committee, belonging to Charleſtown, Cambridge and Roxbury, be deſired to procure at leaſt two men, for a watch every night to be placed in each of theſe towns, and that ſaid members be in readineſs to ſend couriers forward to the towns where the magazines are placed, when ſallies are made from the army at night."

The ſelectmen of the town of Billerica preſented a 23.
moſt ſpirited remonſtrance to general Gage, on account of an inhabitant of that town's being tarred and feathered, and much abuſed on the 8th of the month, by a party of his majeſty's 47th regiment, under the com-

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mand of lieutenant colonel Neſbit. The firmneſs, reſolution and freedom, with which the people both of town and country have conducted, when their buſineſs called them to an intercourſe with the governor, have often embarraſſed and convinced him, that they were not wholly deſtitute of ſterling courage. There might be ſome ground for puniſhing the perſon, whoſe caſe produced the remonſtrance; but the puniſhment ſhould have been under the direction of a civil and not a military officer, and of another kind; for, though it may be deemed a retaliation upon the country, it has tended greatly to irritate.

The Maſſachuſetts congreſs were ſolicitous to keep their proceedings from coming to the knowledge of general Gage; but from ſeveral circumſtances which occurred, they entertained a ſtrong ſuſpicion, that they had ſome one among them, who betrayed their counſels. A gentleman, who is not a ſtranger to many conſiderable defects in the moral and political character of Dr. Church, is apprehenſive that he is the perſon; but is exceedingly cautious of mentioning his ſuſpicion, conſidering the high reputation in which the doctor is among the ſons of liberty.

30. General Gage marched out about eleven hundred men into the country; who, doing much damage by throwing down the ſtone fences, occaſioned a committee's waiting upon the Maſſachuſetts congreſs on the Saturday, when upon the point of adjourning; which kept them ſitting till they received on the Monday following, accounts by a veſſel from Falmouth, of what parliament had done and was doing, in relation to their colony.

It

It was a providental circumſtance that they had ſo early intelligence, and obtained it before general Gage had received his diſpatches: they were careful to improve it. The intelligence ſpread faſt, and induced more of the inhabitants of Boſton to remove out of town. A number had been for ſome time withdrawing themſelves. The town was liable to be converted inſtantly, at the diſcretion of the governor, into a ſecure priſon; and the people of it might be held as hoſtages for the conduct of the province at large, or be kidnapped and ſent to England, to ſtand trial for ſuppoſed offences. Continuance in it was hazardous to many, who had diſtinguiſhed themſelves by taking an active part againſt the meaſures of government. But the dauntleſs courage of ſome ſuch inclined them to remain, though there was no knowing what private orders might be ſent to general Gage; who was not inattentive to the ſervice in which he was employed, while he evidenced a prevailing deſire after a peaceable accommodation. He ſent private orders to the commanding officer at New York, to purchaſe up all the duck, blankets, pickaxes, pots and other articles proper for camp ſervice. Application was made by the officer to the Philadelphia merchants, who penetrated the deſign, and no leſs nobly than unanimouſly refuſed a compliance. Three of the New York merchants had for ſome time been buying up, ſelling and ſending the ſeveral articles to Boſton; but at length a ſtop was put to their proceedings by the influence of captain Sears, who, upon his return from Philadelphia, argued that they might want thoſe things themſelves, and made a conſiderable ſtir upon the occaſion.

caſion. But a great number were purchaſed at Portſmouth, before the diſcovery of the general's intention.

The news of the parliamentary proceedings encouraged the ſoldiery to inſult the people more than ever: their conduct ſeemingly intimated, that they meant to provoke the other to begin the quarrel; while theſe bore all with patience, as they were determined not to be the aggreſſors. Nothing was wanting, but a ſpark to ſet the whole continent in a flame. The important moment, big with inconceivable conſequences, was evidently approaching, when, through accident or deſign, it would be applied to thoſe combuſtibles, which had been long collecting.

The grenadier and light infantry companies were taken off duty, upon the plea of learning a new exerciſe, which made the Boſtonians jealous, that there was ſome ſcheme on foot. A daughter of liberty, unequally yoked in point of politics, ſent word, by a truſty hand, to Mr. Samuel Adams, reſiding in company with Mr. Hancock at Lexington, about thirteen miles from Charleſtown, that the troops were coming out in a few days. Upon this their friends at Boſton were adviſed to move out their plate, &c. and the committee of ſafety voted, "that all the ammunition be depoſited in nine different towns; and that other articles be lodged, ſome in one place, ſome in another, ſo as to the 15 medicinal cheſts, 2000 iron pots, 2000 bowls, 15000 canteens, and 1100 tents; and that the ſix companies of matroſſes be ſtationed in different towns."

Mr. Adams inferred from the number to be employed, that theſe were the objects, and not himſelf and Mr. Hancock, who might be more eaſily ſeized in a pri-

private way by a few armed individuals, than by a large body of troops that muſt march, for miles together, under the eye of the public.

The provincial ſtores had been hitherto depoſited at Worceſter and Concord. To the laſt of theſe places, but half the diſtance of the other from Boſton, the general turned his attention; and, being continually peſtered by the repeated ſolicitations of the American tories, with whom he was ſurrounded, and who perſuaded him there was no danger of reſiſtance, their whig countrymen being too cowardly, he determined, without the advice of the council, when and in what way to attempt the ſeizure of the many ſtores ſuppoſed to be in the place.

A number of officers dined together at Cambridge, and toward night ſcattered themſelves upon the road leading to Concord; and took their ſtation ſo as to be ready to intercept any expreſſes going from Boſton to alarm and raiſe the country, with intelligence of the troops being upon their march. When the corps was nearly ready to proceed upon the expedition, Dr. Warren, by a mere accident, had notice of it juſt in time to ſend meſſengers over the neck and acroſs the ferry, on to Lexington, before the orders for preventing every perſon's quitting the town were executed. The officers intercepted ſeveral, but ſome being well mounted, eſcaped their vigilance; and the alarm, being once given, ſpread apace, by the ringing of bells, and the firing of ſignal guns and vollies. By eleven at night, eight hundred grenadiers and light infantry, the flower of the army, embarked at the common, proceeded and landed at Phipps's farm, from whence they marched for Concord, April 18.

cord, under the command of lieutenant colonel Smith, aided by major Pitcairn, who led the advanced corps.

19. About two in the morning, the Lexington company of militia, to the amount of one hundred and thirty, repaired to the green, cloſe in with the meeting houſe. The air being chilly, and the intelligence reſpecting the regulars ſomewhat uncertain, the men, after the roll-call, were diſmiſſed, with orders to appear again at beat of drum. Some went home, others to the adjoining public houſe. Word being brought between four and five, that the troops were not far off, they that were at hand collected, to the number of about ſeventy, by the time the regulars made their appearance. They were moſtly in a confuſed ſtate, and a few only were drawn up. There were preſent at the time about forty ſpectators without arms. The militia were too few to think of beginning an attack. But major Pitcairn rode round the meeting (as the meeting-houſe is generally called) and approaching them called out, "*Diſperſe you rebels, throw down your arms and diſperſe.*" An inſtant compliance not taking place, which he might conſtrue into contempt, he rode a little further, fired his piſtol, flouriſhed his ſword, and ordered the ſoldiers to fire, with which they complied, huzzaing upon the occaſion. This produced an immediate diſperſion; but the firing was continued. Individuals finding they were fired upon though diſperſing, had ſpirit enough to ſtop and return the fire. Three or four were killed upon the green; the reſt, making the whole number of the ſlain eight, were ſhot on the other ſide of the walls and fences, over which they had fled in order to eſcape. During this intereſting period, Meſſrs. S. Adams and Hancock, whoſe reſidence

ſidence was near at hand, quitted and removed to a further diſtance. While walking along, Mr. Adams exclaimed, "*O! what a glorious morning is this!*" in the belief that it would eventually liberate the colony from all ſubjection to Great Britain. His companion did not penetrate his meaning, and thought the alluſion was only to the aſpect of the ſky. Leſt it ſhould be ſaid and believed, that the meeting was crowded with militia, before and during the fire, let me mention that there were only a man and a boy in it. The detachment marched on to Concord. The people of the town, having received the alarm, drew up in order for defence; but obſerving that the regulars were too numerous, retired over the north bridge and waited for reinforcements from the neighbouring towns. A party of light infantry followed, and poſſeſſed themſelves of the bridge, while the main body entered the town, and proceeded to execute their commiſſion. They diſabled two twenty-four pounders, and deſtroyed their carriages and ſeven wheels for the ſame, with their limbers, beſide ſixteen wheels for braſs three pounders, and two carriages with limber and wheels for two four pounders. They threw 500 lb. of ball into the river, wells, and other places; and broke in pieces about ſixty barrels of flour, half of which was ſaved. Theſe were all the ſtores that they could diſcover and deſtroy, on the account of which a civil war has commenced between the colonies and the parent ſtate. The inhabitants of Britain may ſee reaſon, for many ages, to curſe the memory of the man or men, who has or have been at the foundation of this fatal cataſtrophe, ſhould they ever be known. The militia being reinforced, Mr. John Butterick, of Concord, major of a

minute regiment, and who commanded, ordered the men not to give the firſt fire, that ſo the provincials might not be the aggreſſors, for he was ignorant of what had paſſed at Lexington. Upon his advancing with them, the light infantry retired to the Concord ſide of the river, and began pulling up the bridge; and on his approaching nearer, immediately fired and killed captain Iſaac Davis of Acton, (who with his company of minute men made the front) and one of the privates. The fire was returned, a ſkirmiſh enſued, and the troops were forced to retreat, having ſeveral men killed and wounded, and lieutenant Gould (who would have been killed, had not a miniſter preſent prevented) with ſome others taken. One of their wounded, who was left behind, attempting to get up, was aſſaulted by a young fellow going after the purſuers to join them, who, not being under the feelings of humanity, barbarouſly broke his ſkull with a ſmall hatchet and let out his brains, but neither ſcalped him nor cut off his ears. This event may give riſe to ſome malevolent pen to write, that many of the killed and wounded at Lexington, were not only ſcalped, but had their eyes forced out of the ſockets by the fanatics of New England: not one was ſo treated either there or at Concord. You have the real fact. The poor object languiſhed for an hour or two before he expired.

The party was joined by the main body; and the whole detachment retreated with the utmoſt expedition; for all the country was now up in arms, and attacked the troops on every quarter. In their march of ſix miles back to Lexington, they were exceedingly annoyed, not only by thoſe who preſſed upon their rear; but

but by others, who fired upon them from behind the ſtone walls and other coverts, which ſupplied the place of lines and redoubts to the provincials. At Lexington they were joined by a detachment under Lord Percy.

The news of what had happened at Lexington in their way to Concord, flew to Boſton and the neighbourhood. But the ſlaughter of the militia men was carefully concealed from general Gage, who was not made acquainted with it till late in the afternoon. He had however, early intelligence of the riſing of the country; and therefore detached, about eight in the morning, Lord Percy with 16 companies of foot, and a number of marines, 900 men in the whole, and two pieces of cannon, to ſupport colonel Smith. The brigade marched out, playing, by way of contempt, *Yankee Doodle*, a ſong compoſed in deriſion of the New Englanders, ſcornfully called *Yankees*. A ſmart boy obſerving it as the troops paſſed through Roxbury, made himſelf extremely merry with the circumſtance, jumping and laughing, ſo as to attract the notice of his lordſhip, who, it is ſaid, aſked him at what he was laughing ſo heartily; and was anſwered, "To think how you will dance by and by to *Chevy Chaſe*." It is added, that the repartee ſtuck by his lordſhip the whole day.

You may wiſh to know the origin of the term *Yankèe*. Take the beſt account of it which your friend can procure. It was a cant, favorite word with farmer Jonathan Haſtings of Cambridge, about 1713. Two aged miniſters, who were at the college in that town, have told me, they remembered it to have been then in uſe among the ſtudents, but had no recollection of it before that period. The inventor uſed it to expreſs ex-

cellency. A Yankee good horſe, or Yankee cider and the like, were an excellent good horſe and excellent cider. The ſtudents uſed to hire horſes of him; their intercourſe with him, and his uſe of the term upon all occaſions, led them to adopt it, and they gave him the name of Yankee Jon. He was a worthy honeſt man, but no conjurer. This could not eſcape the notice of the collegiates. Yankee probably became a by-word among them to expreſs a weak, ſimple, awkward perſon; was carried from the college with them when they left it, and was in that way circulated and eſtabliſhed through the country (as was the caſe in reſpect to *Hobſon's choice**, by the ſtudents at Cambridge in Old England) till from its currency in New England, it was at length taken up and unjuſtly applied to the New Englanders in common, as a term of reproach.

The junction of the brigade under Lord Percy, with the detachment under colonel Smith, gave the laſt a breathing time, eſpecially as they now had cannon, which awed the provincials from preſſing upon the rear in a direct line. But the whole force ventured not to halt long; for far and wide the minute-men and militia were collecting, in order to cut off their retreat to Boſton. They ſoon renewed their march; conſtant ſkirmiſhing ſucceeded, and a continued fire, though often irregular and ſcattering on their ſide, as well as on the part of the provincials. The cloſe firing from behind the walls, by good markſmen, for ſuch were almoſt all the provincials, put the troops into no ſmall confuſion, and made it ſo dangerous for the officers, that they were more attentive to their ſafety than in common. Major Pitcairn

* See The Spectator, N° 509.

quitted

quitted his horſe, which was taken with the piſtols in the holſters. The ſoldiers loaded and fired over the ſtone walls, when there was not a ſingle man behind them. They were incommoded by the wind's blowing the ſmoke ſtrongly back upon them all the time they were retreating; during which they burnt ſome houſes, attempted others, and plundered many of every thing valuable, deſtroying what they could not carry off. They killed ſeveral innocent unarmed perſons; and murdered two old men at Menotomy. Before they reached this place, a few Americans, headed by the Rev. Mr. Payſon of Chelſea, who till now had been extremely moderate, attacked a party of twelve ſoldiers carrying ſtores to the retreating troops, killed one, wounded ſeveral, made the whole priſoners, and gained poſſeſſion of their arms and ſtores, without any loſs whatever to themſelves. The regulars, when near Cambridge, were upon the point of taking a wrong road, which would have led them into the moſt imminent danger, but were prevented by the direction of a young gentleman reſiding at the college; by which mean they made good their retreat a little after ſun ſet over Charleſtown neck to Bunker's-hill, but ſpent and worn down by the exceſſive fatigues they had undergone, having marched that day between thirty and forty miles. Here they remained ſecure till the next day, when they croſſed at Charleſtown ferry and returned to Boſton.

Lieutenant-colonel Smith was much diſpleaſed with the ſoldiers' firing at Lexington; probably general Gage had given orders that they ſhould not fire unleſs they were firſt fired upon. Major Pitcairn undoubtedly directed them to fire from the miſtaken apprehenſion he

had entertained of American reſolution, for he has the character of a good tempered officer. There were never more than about four hundred provincials together, attacking at one and the ſame time; and often ſcarce that number. But as ſome tired and gave out, others came up. They had very little appearance of diſcipline. Privates and officers fired away as they had opportunity of doing execution, without waiting for the word of command: and uſed their knowledge of the country, to gain the opportunity, by croſſing fields and fences, of acting as flanking parties againſt the regulars while theſe proceeded along the road. Colonel Pickering of Salem had the command of a fine well exerciſed provincial regiment: had he puſhed on with his men, ſo as to have headed the Britiſh before they had gained Charleſtown neck, (and he was near enough) they muſt have clubbed their firelocks, for they were quite wearied out with the ſervices of the day, and had but a round or two of ammunition remaining. No ſatisfactory reaſon has been aſſigned for the want of greater alertneſs in colonel Pickering's regiment. The Britiſh officers are aſtoniſhed, chagrined, and mortified beyond meaſure at what has happened. It's death to all their glorying, that their beſt troops have been obliged in this manner to flee before a number of *Yankees*, "when all the officers in general did every thing that men could do, and when the ſoldiers behaved with their uſual intrepidity *." They are ſore at heart upon the occaſion. They have had 1 lieutenant killed, 2 lieutenant colonels wounded, Smith is one, 2 captains and

* See general Gage's account of the behaviour of the troops in the London Gazette.

9 lieu-

9 lieutenants wounded, 1 lieutenant miſſing, 2 enſigns wounded, 1 ſergeant killed, 7 wounded, 2 miſſing, 1 drummer killed, 1 wounded, 62 rank and file killed, and 157 wounded; in all 65 killed, 180 wounded, and 28 made priſoners; total 273.

Of the provincials 50 have been killed, 34 wounded, and 4 are miſſing; in all 88. The following officers and gentlemen are of the number, viz. juſtice Iſaac Gardner of Brookline, capt. Iſaac Davis of Acton, capt. Jonathan Wilſon of Bedford, lieut. John Bacon and ſergeant Eliſha Mills of Needham, and Deacon Joſiah Haynes of Sudbury killed; capt. Eleazer Kingſbury of Needham, capt. Samuel Williams of Cambridge, captains Charles Miles, Nathaniel Barret and George Minot of Concord, capt. Oliver Barns and Deacon Aaron Chamberlain of Chelmsford wounded. The perſons who have fallen are regretted with the deepeſt concern, and are honored not only as patriots, but as martyrs, who have died bravely in the cauſe of their country.

Captains John Ford and Oliver Barron, and Deacon Davis, all of Chelmsford, diſtinguiſhed themſelves in the courſe of the day. It can be fully proved that capt. Ford killed five regulars. James Howard, a private in the Acton company, and a regular coming out of a houſe, caught ſight of each other, and diſcharged their pieces at the ſame inſtant; both ſhots taking effect, the laſt dropt down dead, and the firſt expired a few hours after. A big boy joined in the chaſe of the retreating troops, and was very expert in firing at them, at length a ball from the enemy grazed his head, and produced

a fleſh wound: he ſoon recovered the ſhock, bound up his head with a handkerchief, and renewed his purſuit.

Two Britiſh officers who have been taken, and the privates, who are wounded and priſoners, are treated with humanity by the provincials; and general Gage may, if he pleaſes, ſafely ſend his ſurgeons to dreſs and attend them.

If the conteſt is to become general between the colonies and the mother country, it may be deemed a happineſs for them that it has commenced in the Maſſachuſetts, where all the inhabitants are ſo connected with each other by deſcent, blood, uniformity of manners, ſimilarity of religious and civil ſentiments, mediocrity of circumſtances, and a general equality, that the killing of a ſingle individual intereſteth the whole province in the event, and makes them conſider it as a common cauſe.

The inhabitants are now every where in arms; and collecting in ſuch numbers about Boſton, that they will not only inveſt the town effectually, but excite diſagreeable apprehenſions in general Gage. No one is ſuffered to go in or out at preſent. The provincials have for their commander in chief, a native of the Maſſachuſetts, general Ward; the honorable Jedediah Prebble having, more than a month ago, declined on account of his bad health. General Ward might have pleaded the like excuſe; but he wiſhes to ſerve his country to the utmoſt of his abilities, and is ready to riſk his life in the cauſe of American liberty. He is to be truſted, being a gentleman of great integrity. His commiſſion as commander in chief of the Bay troops was delivered to him

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on the 20th, by the provincial congreſs. Three days after, they choſe general John Thomas lieutenant general. 20.

The day general Ward received his commiſſion, the committee of ſafety ſent letters to New Hampſhire and Connecticut, with an account of the enemy's proceedings the day before, and praying all the aſſiſtance in their power. The next day they agreed upon inliſting 8000 men out of the Maſſachuſetts forces: but the provincial congreſs being adjourned from Concord to Watertown, reſolved the ſucceeding day, "that an army of 30,000 men be immediately raiſed and eſtabliſhed; that 13,600 be by this province; and that a letter and delegate be ſent to the ſeveral colonies of Hampſhire, Connecticut and Rhode Iſland." Head quarters are at Cambridge; and the ſtudents quit the college that the provincials may be accommodated. General Thomas commands at Roxbury. He is a cool, courageous, diſcerning, and active officer, well qualified for guarding the important poſt he occupies, and preventing the enemy's making a ſally over the neck into the country, ſhould they be inclined to attempt it: but for the preſent they are more afraid of being attacked.

General Gage, to ſecure the people within from taking up arms againſt the king's troops, in caſe of an aſſault, has agreed with the committee of the town, after a long conference; that, upon the inhabitants in general lodging their arms in Faneuil-hall, or any other convenient place, under the care of the ſelectmen, all ſuch inhabitants as are inclined may depart from the town with their families and effects; that thoſe who remain may depend upon his protection; and that the arms afore- 22.

ſaid, at a ſuitable time, ſhall be returned to the owners. The town agreed to this propoſal, and their vote upon it was read by the committee, upon their return to his excellency, who accepted it; and further agreed, that the inhabitants may remove from town by land and water with their effects, within the limits ſpecified by the port-act. He alſo informed the committee, that he would deſire the admiral to lend his boats to facilitate the removal of the effects of the inhabitants; and that he would allow carriages to paſs and repaſs for that purpoſe. He ſaid likewiſe, that he would take care that the poor, who may remain in town, ſhall not ſuffer for want of proviſions after their own ſtock is expended; and deſired that a letter might be written to Dr. Warren, chairman of the committee of congreſs, that thoſe perſons in the country, who may incline to remove into Boſton with their effects, may have liberty ſo to do without moleſtation. An account of theſe proceedings was ſent to Dr. Warren; who was further informed by the town-committee, "Permiſſion will be given for
25. 30 waggons to enter the town at once, to carry away the effects of the inhabitants; ſo ſoon as thoſe have returned to the end of the cauſeway leading to Roxbury, then others will be permitted to come in. None will be permitted to enter till after ſun riſe, nor remain after ſun ſet. If any veſſel or boat now in the harbour be employed to remove the inhabitants effects, ſecurity muſt be given that it be returned. It is expected, that leave be obtained for ſome perſons to go to the different pariſhes, to give notice to ſuch perſons who incline to come with their effects into Boſton, that they may come without moleſtation; and it is deſired, that the waggons

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and veſſels employed to come to carry away the goods of the inhabitants of Boſton, may bring the effects of thoſe who are deſirous to leave the country, they paying half the charge."

Doctor Warren has this day written to general Gage. 26.

"SIR,

THE unhappy ſituation into which this colony is thrown, gives the greateſt uneaſineſs to every man, who regards the welfare of the empire, or feels for the diſtreſſes of his fellow men; but even now much may be done to alleviate thoſe misfortunes which cannot be entirely remedied; and I think it of the utmoſt importance to us, that our conduct be ſuch, as that the contending parties may entirely rely upon the honor and integrity of each other, for the punctual performance of any agreement that ſhall be made between them. Your excellency, I believe, knows very well the part I have taken in public affairs. I ever ſcorned diſguiſe. I think I have done my duty; ſome may think otherwiſe: but be aſſured, Sir, as far as my influence goes, every thing, which can reaſonably be required of us to do, ſhall be done; and every thing promiſed ſhall be religiouſly performed. I ſhould now be very glad to know from you, Sir, how many days you deſire may be allowed for ſuch as deſire to remove to Boſton with their effects, and what time you will allow the people in Boſton for their removal. When I have received the information, I will repair to congreſs, and haſten as far as I am able the iſſuing a proclamation. I beg leave to ſuggeſt, that the condition of admitting only thirty waggons at a time into the town, appears to me very inconvenient, and will pre-

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vent the good effects of a proclamation intended to be iſſued for encouraging all waggoners to aſſiſt in removing the effects from Boſton with all poſſible ſpeed. If your excellency will be pleaſed to take the matter into conſideration, and favor me as ſoon as may be with an anſwer, it will lay me under a great obligation, as it ſo nearly concerns the welfare of my friends in Boſton. I have many things which I wiſh to ſay to your excellency, and moſt ſincerely wiſh I had broken through the formalities which I thought due to your rank, and freely had told you all I knew or thought of public affairs, and I muſt ever confeſs, whatever may be the event, that you generouſly gave me ſuch opening as I now think I ought to have embraced; but the true cauſe of my not doing it, was the knowledge I had of the vileneſs and treachery of many perſons around you, who I ſuppoſe had gained your entire confidence.

I am, &c. &c."

The committee of ſafety have ſent letters to Rhode Iſland and Connecticut, importuning immediate aſſiſtance; and that as large a number of troops as can be ſpared, may be immediately marched forward, well ſtocked with proviſions and ammunition, and accompanied with as large a train of artillery as can be granted. They expreſs their determination, at all events, to act their parts with firmneſs and intrepidity, knowing that ſlavery is far worſe than death.

The committee appointed to examine into the damages done on the 19th at Cambridge, Lexington and Concord, have reported that by fire, robbery and deſtruction, the ſame are as follows: at Cambridge 901l. 16s.

16s. 5d. ¼; at Lexington 1320l. 16s. 0d ¼; and at Concord 206l. 2s. 5d. ½, in all 2428l. 14s. 11d. ¼ ſterling. The parties exhibited their accounts on oath, and the greateſt care was taken, that the ſtate of the damages might be juſt.

My friend Quincy has ſacrificed his life for the ſake of his country. The ſhip in which he ſailed, arrived at Cape Anne within theſe two days: but he lived not to get on ſhore, or to hear and triumph at the account of the ſucceſs of the Lexington engagement. His remains will be honorably interred by his relations. Let him be numbered with the patriotic heroes, who fall in the cauſe of liberty; and his memory be dear to poſterity. Let his only ſurviving child, a ſon of about three years, live to poſſeſs his noble virtues, and to tranſmit his name down to future generations. You have my warmeſt acknowledgments for your laſt manuſcript. See that you embrace every ſafe opportunity of continuing your correſpondence; you will find me in that line of conduct.

The ſupreme power now extant in the Maſſachuſetts has given their firſt naval commiſſion to captain *John Derby* of Salem, who is intruſted by the provincial congreſs with diſpatches for Dr. Franklin, containing an account of the Lexington fight, and an addreſs to the inhabitants of Great Britain. He ſails without delay. In the addreſs the congreſs profeſs to place much dependence on the honor, wiſdom and valor of Britons, from which they hope for their interference in preventing the proſecution of preſent meaſures. They make great profeſſions of loyalty: but declare, that they will not tamely ſubmit to the perſecution and tyranny of a

cruel miniſtry; and that they are determined to die or be free. They appeal to Heaven for the juſtice of their cauſe. Should not an accommodation take place, Heaven muſt grant them its ſpecial protection, or they will be cruſhed before the power of Britain, notwithſtanding all that the other colonies can do for them: unleſs the officers, who are employed againſt them, are not ſupplied with an adequate force, or are wretchedly defective in courage, inclination, activity, prudence, or other military abilities: or unleſs ſome foreign power, for its own intereſt and to injure the parent ſtate, takes them by the hand. Their military ſtores are ſcarce worth mentioning. They reckon upon ſixteen field pieces. It is well if ſix of them are calculated for much actual ſervice. There are four braſs ones, of a ſmall ſize, that may anſwer a good purpoſe. They have a few large iron cannon, two or three mortars and howitzers, cannon ball, and ſhells; but they have only eighty-two half barrels of powder belonging to the public ſtore; moſt towns have a ſmall quantity, that however will be ſoon exhauſted. Conſidering what ought to be the caſe, to warrant a reaſonable expectation of ſucceſs, in a military conteſt with a nation that abounds in all the apparatus of war, they may be pronounced deſtitute of every article but men; and, though theſe are not wanting in natural courage, it will take a conſiderable time to make them thorough good ſoldiers. They have neither money nor magazines.

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LETTER XIII.

London, June 12, 1775.

THE reſtraining and fiſhery bill did not paſs through the houſe of lords with leſs oppoſition than what it had met with in the houſe of commons. Upon the motion for committing it after the ſecond reading, the marquis of *Rockingham* oppoſed it with great ability; and in the courſe of his ſpeech ſhowed, that in 1704 the whole amount of the exports to the New England colonies was only about 70,000l. annually; that in 1754 it had ariſen to 180,000l. in the ſucceeding ten years to 400,000l. and in the laſt ten years had nearly doubled that ſum.

The bill was carried by a majority of more than three to one; but was productive of a proteſt, ſigned by ſixteen lords. It is particularly diſtinguiſhed, by the ſevere cenſure paſſed upon a lord high in office, who in the late debates, moſt unadviſedly threw out a charge of general cowardice againſt the Americans.

The fiſhery bill had ſcarcely cleared the houſe of commons, when Lord North brought in another, "To reſtrain the trade and commerce of the colonies of New Jerſey, Pennſylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the Britiſh iſlands in the Weſt Indies, under certain conditions and limitations." While this bill was in agitation, a long ſeries Mar. 9.

of

of evidence, in behalf of the Weſt India merchants and planters, was laid before the houſe. It appeared, that upon a very moderate computation, the capital in the Weſt India iſlands, conſiſting of lands, buildings, negroes, and ſtock of all kinds, did not amount to leſs than ſixty millions ſterling; that their exports of late years to Britain, ran to about 190,000 hogſheads and puncheons of ſugar and rum annually; amounting in weight to 95,000 tons, and in value about 4,000,000l. excluſive of a great number of ſmaller articles, and of their very great export to North America; that their growth was ſo rapid, and improvement ſo great, that within a few years, their export of ſugar to this kingdom was increaſed 40,000 hogſheads annually, amounting to about 800,000l. in value. The probability was apparent, that more than half of the capital of 60,000,000l. was either the immediate property of perſons reſident in this country, or owing to them; and alſo that the revenue gained above 700,000l. a year upon the direct Weſt India trade, excluſive of its eventual and circuitous products, and of the African trade.

20. Mr. Burke made a number of conciliatory propoſitions with reſpect to the colonies, contained in a ſet of reſolutions, which he accompanied and elucidated by a celebrated ſpeech. He traced that unconquerable ſpirit of freedom, that violent paſſion for liberty, by which the coloniſts are diſtinguiſhed from all other people of the world, from the ſources of their deſcent, education, manners, religious principles, forms of government, and diſtance from the head of the empire. He made it appear, that the whole exports to North America, the Weſt Indies and Africa, in 1704, (from England it muſt

muſt be, for the union of the two kingdoms had not then taken place) amounted only in value to 569,930l. but the comparative value of money at that period was much greater than at preſent. In 1772, the exports from Great Britain to the ſame places, amounted at a medium, to no leſs than 6,024,171l. He alſo ſhowed, that the *whole export* trade of England, including that to the colonies, amounted in 1704, only to 6,509,000l. Thus the trade to the colonies alone was, in 1772, within leſs than half a million of being equal to what was carried on by England with the whole world, at the beginning of the preſent century. However aſtoniſhing this general increaſe of the whole colonies may appear, the growth of the province of Pennſylvania is ſtill more extraordinary. In 1704, the whole exports to that colony amounted to no more than 11,459l. and in 1772, they were riſen to 507,909l. being nearly fifty times the original demand, and almoſt equal to the whole colony export at the firſt period. This aſtoniſhing growth of the colonies, within little more than half a century, and the prodigious ſhare they contribute to our greatneſs, makes them a matter of the firſt importance to ourſelves, and muſt excite the admiration of future ages.

The previous queſtion was moved on the firſt propoſition, and carried by 270 to 78; and thus ended the buſineſs.

But the ill ſucceſs which has attended all conciliatory propoſitions hitherto, excepting thoſe which have originated from government, did not deter Mr. Hartley 27.
from making a ſimilar attempt. The motion however was rejected without a diviſion.

During

During the progreſs of the ſecond reſtraining bill, an additional clauſe was moved for by the miniſter, whereby the counties of Newcaſtle, Kent and Suſſex on the Delaware, were included in the prohibitions of that bill, and carried without a diviſion.

While theſe matters were tranſacting, ſeveral petitions were received from manufacturing towns in Britain and Ireland againſt the coercive acts. Some counter-petitions were alſo received, calling for an enforcement of the laws of Britain, as the only means of preſerving a trade with the colonies. Much altercation aroſe on the truth of facts alleged on both ſides, as well as on the manner of obtaining the ſignatures, and the quality of thoſe who ſigned. The minority inſiſted, that the moſt who ſigned the war-petitions, as they called them, were perſons who had little or no intereſt in the American trade, but of that deſcription of warm and active party-men commonly called tories. And they entered into ſeveral examinations to prove the truth of the former part of their aſſertion. This produced many long and hot debates. Other petitions were preſented to the crown, and equally diſregarded: one from the Britiſh ſettlers in Canada againſt the Quebec bill; one from the quakers, in which beſides endeavouring to diffuſe the influence of that ſpirit of peace, which is the predominant principle in their religious ſyſtem, they declared themſelves perſuaded, that there are not in his majeſty's extenſive dominions, ſubjects more loyal, and more zealouſly attached to his royal perſon, his family and government, than in the provinces of America, among all religious denominations. His majeſty however, went in perſon to the houſe, and gave the royal

aſſent

aſſent to the reſtraining and fiſhery bill in the uſual form. In this ſeaſon of public diſcontent, when the minds of all were agitated on one ſide or other, the city of London, not diſcouraged by the fate of all its applications for a number of years paſt, once more approached the throne, with an addreſs, remonſtrance and petition, upon a ſubject, and in a manner, as little calculated to obtain a favorable reception as any of the preceding. In this remonſtrance they recapitulated the whole catalogue of American grievances; declared their abhorrence of the meaſures which had been purſued, and were then purſuing; and juſtified the reſiſtance to which the Americans had been driven, upon the great principles of the conſtitution; "actuated by which," they ſaid, "at the glorious period of the revolution, our anceſtors transferred the imperial crown of theſe realms to the illuſtrious houſe of Brunſwick." They beſeeched his majeſty immediately and for ever to diſmiſs from his councils, thoſe miniſters and adviſers, who had been at the bottom of the preceding meaſures. His majeſty delivered the following anſwer, "It is, with the utmoſt aſtoniſhment, that I find any of my ſubjects capable of encouraging the rebellious diſpoſition, which unhappily exiſts in my colonies in North America. Having entire confidence in the wiſdom of my parliament, the great council of the nation, I will ſteadily purſue thoſe meaſures which they have recommended for the ſupport of the conſtitutional rights of Great Britain, and the protection of the commercial rights of my kingdom." April 10.

The earl of Effingham has uniformly oppoſed the whole ſyſtem of meaſures purſued againſt the Americans; and finding that the regiment in which he ſerved

was at length deſtined for America, and thinking it inconſiſtent with his character, and beneath his dignity, to enforce meaſures with his ſword, which he had ſo utterly
12. condemned in his legiſlative capacity, he wrote a letter of reſignation to the ſecretary of war. In it he deeply regretted his being neceſſitated to quit the military profeſſion; but ſaid, "I cannot, without reproach from my own conſcience, conſent to bear arms againſt my fellow ſubjects in America, in what, to my diſcernment, is not a clear cauſe." Pity that it is not a point of honor with all military officers, to conſider the merits of the cauſe wherein their ſwords are to be employed, and when they are not ſatisfied in their own judgments, to practiſe as the noble earl has done. Such a point of honor might hinder many a war.

The Britiſh ambaſſador at the Hague applied to the ſtates to forbid their ſubjects ſupplying the Americans with arms, ammunition, gunpowder, &c. and they by proclamation prohibited the exportation of all ſuch articles, in Dutch or foreign ſhips, from any of their dominions, without licence, on penalty of forfeiting about 90l. ſterling. Judge, whether the profits of the voyage will not be ſo great as to make it worth the merchants while to run the riſk of that ſum. Let the American veſſels repair to Holland, and the Dutch will furniſh them with gunpowder in large glaſs bottles of ſeveral gallons dimenſion, under the notion of ſpirits or liquor of one kind or other *. France was alſo applied to, and could have cruſhed all aſſiſtance, by expreſs prohibition; but only told her ſubjects, that if they afforded any, it was at their own riſk, tantamount to—if you

* This was practiſed.

will

will venture you may. Spain roundly refuſed giving the leaſt hinderance to her ſubjects.

His majeſty went to the houſe of peers, and gave the 13.
royal aſſent to the bill for reſtraining the trade of New Jerſey, Pennſylvania, &c. Thus the probability of the colonies dividing from each other is leſſened, and their union becomes more eſtabliſhed. Some future proceedings in the provinces of New York and North Carolina, will be likely to conſolidate the whole continent.

The American fiſheries being now aboliſhed, meaſures were neceſſary to ſupply their place, and to guard againſt the conſequences of the foreign markets, either changing the courſe of conſumption, or falling into the hands of ſtrangers. It was alſo expedient to pay a greater attention to the intereſts of Ireland, than what had been practiſed for many years. The miniſter therefore moved for a committee of the whole houſe to con- 27.
ſider of the encouragement proper to be given to the fiſheries of Britain and Ireland. The committee in its progreſs granted ſeveral bounties to the ſhips of Britain and Ireland, for their encouragement in proſecuting the Newfoundland fiſhery; and two reſolutions were introduced and paſſed in favor of the latter kingdom. Complaints however were made, that clauſes were inſidiouſly ſtolen into the act to prevent its operating in any conſiderable extent. The committee agreed alſo to the granting of bounties for encouraging the whale fiſhery, and to take off the duties payable upon the importation of oil, blubber, and bone from Newfoundland, &c. and on the importation of ſeal ſkins.

Miniſtry have not confined themſelves to the making of laws; they have alſo ſent out againſt the Americans,

generals Howe, Clinton and Burgoyne, in the Cer-
28. berus. The tranſports with troops to re-enforce governor Gage, ſailed a week after from Corke.

May 15. Toward the cloſe of the ſeſſion, Mr. Burke acquainted the houſe, with his having received a paper of great importance from the general aſſembly of New York. He obſerved, that it was a complaint, in the form of a remonſtrance, of ſeveral acts of parliament, ſome of which they affirmed, had eſtabliſhed principles, and others had made regulations, ſubverſive of the rights of Engliſh ſubjects. He afterward moved, that it might be brought up. The miniſter immediately moved an amendment, which proved an indirect but effectual negative upon Mr. Burke's motion. The amendment was carried by a majority of 186 to 67; the queſtion being then put upon the amended motion, it was rejected without a diviſion. The New York memorial to the lords was brought in by the duke of Mancheſter, who moved for its being read. After ſome altercation the queſtion was called for, and upon a diviſion the motion was rejected by a majority of 45 againſt 25. The petition to the king was received, but the prayer of the petitioners was not granted. Such is the fate of the applications made by the general aſſembly of New York, for a redreſs of their ſuppoſed grievances. It muſt tend to widen the breach between Britain and the colonies.

17. Lord Camden preſented a petition to the houſe of lords from the Britiſh inhabitants of the province of Quebec, in which they ſtated their grievances, and implored their lordſhips favorable interpoſition, that the Quebec-act might be repealed or amended, and that they might enjoy their conſtitutional rights, privileges,

and franchiſes. His lordſhip, after expatiating on the evils of the act, propoſed a bill, which was read, for the repeal of the late act. This meaſure was ſtrongly oppoſed by adminiſtration, and a motion was made by lord Dartmouth, that the bill be rejected, which was carried by a majority of ſixty out of eighty-eight, there being only twenty-eight lords who ſupported the bill. Much cenſure having been expreſſed or implied, both within doors and without, relative to the whole conduct of the biſhops in the Canada tranſaction, the reverend father of that bench, ſtood up during the debate to juſtify the Quebec-act, ſo far as it related to religious matters, which he did upon the principles of toleration, the faith of the capitulation, and the terms of the definitive treaty of peace; but many were far from being convinced, that theſe principles required ſuch a full and perfect eſtabliſhment of the popiſh religion, as is granted by the act itſelf.

Sir George Saville preſented to the houſe of commons, 1 8.
another petition from the ſame inhabitants of Quebec, in which among other things, they repreſented with too much truth, that the petition to his majeſty, in the name of all the French inhabitants of that province, and upon which the late law had been avowedly founded, was not fairly obtained, and had neither received the concurrence of the people in general, nor even been communicated to them, but had been carried about in a ſecret manner, and ſigned by a few of the nobleſſe, advocates, and others, who were in their confidence. They affirmed that the inhabitants in general were as much alarmed as themſelves, at the introduction of the Canadian laws. They concluded by praying, that the

ſaid

ſaid act might be repealed or amended. Sir George examined and laid open the weak or obnoxious parts of the act, and threw new light even upon thoſe which had already undergone the higheſt degree of colouring, and then concluded his ſpeech with moving for a repeal of the late act for the better government of the province of Quebec. Conſiderable debates enſued, in the courſe of which the miniſter avowed his intention, if it ſhould become neceſſary, of arming the Canadians againſt the other colonies. But he declared his firm perſuaſion, that the troubles in America, would be ſpeedily and happily ſettled without bloodſhed. Notwithſtanding this declaration it was whiſpered, that he was uneaſy, and from what general Gage wrote laſt, dreaded the news by the April packet. For ſome, who profeſſed to have the beſt information, aſſerted that orders were ſent to apprehend Meſſrs. Cuſhing, Samuel Adams, Hancock and others, and to tranſport them to Great Britain; and that the receipt of theſe orders had been acknowledged; but that ſecond orders had been diſpatched to hang them at Boſton. Sir George Saville's motion was rejected by a majority of more than two to one, the numbers being 174 to 86.

26. The ſpeaker, when he preſented the money bills for the royal aſſent, gave an aſſurance in his ſpeech to his majeſty, that if the Americans perſiſted in their reſolutions, and the ſword muſt be drawn, the commons would do every thing in their power to maintain and ſupport the ſupremacy of this legiſlature.

The king gave his royal aſſent to the ſeveral bills, both public and private, which remained to be paſſed

into acts; and closed the session by a speech from the throne, in which he expressed the most perfect satisfaction in the conduct of the parliament, during the course of their session; and his persuasion, that the most salutary effects must, in the end, result from measures formed and conducted on such principles, as those on which they had acted. A favorable representation was made of the pacific disposition of other powers, and the usual assurance given of endeavouring to secure the public tranquillity.

Captain Derby arrived with his dispatches for Dr. Franklin, got to London in the evening, and delivered them to Dr. Lee, as the other agent had left the country. The circulated accounts of the action were vague; it was plain however, that the troops had been worsted; and that government feared it, though they disclaimed all knowledge of what had happened. 28.

The Sukey, captain Brown, though she ~~sailed four~~ days before captain Derby's vessel, did not arrive till the ninth of June with general Gage's dispatches. The Gazette has given us the governmental account of the Lexington engagement. From the praises bestowed upon officers and men for their activity and bravery, it is evident, that the Americans made the business of the day a hard, difficult and dangerous service to them. The nation in general is not so shocked with this transaction, as the importance of it requires. It was a fatal mistake to send soldiers instead of shipping; and no less so to order them to Boston, instead of planting them in New York (where government has a strong interest) and securing a fortified line of communication from June 9.

thence

thence to Canada, with which to divide the ſouthern from the New England colonies.

Six more regiments of foot have received orders to hold themſelves in readineſs to embark for America. They are encouraged by an expectation, into which they are drawn by the informations given them, of poſſeſſing farms and other confiſcated property.

THE END OF THE FIRST VOLUME.

MVSEVM BRITAN NICVM

ERRATA.

Page 67, line 12, *read*, proprietary, the burgeſſes and thoſe freemen. P. 120, *dele* the ſide date 1753. P. 121, l. 12, add on the ſide 1753. L. 25, *for* ſat, *read* ſet. P. 135, l. 24, *read* was to be made. P. 140, l. 16 and 17, *read* Barnſtable in Barnſtable county. P. 144, l. 8, *read* engaged. P. 183, l. 28, *read* beſet. P. 197, l. 12, *inſert*—at the end. P. 318, l. 2, *read* with that amazing.

The reader is deſired to correct the above noted errors, and candidly to excuſe what other typographical ones have eſcaped obſervation.